URBAN/MUNICIPAL
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1995

AGENDA OF THE
FINANCE AND
ADMINISTRATION
COMMITTEE

MARCH 21, 1995

Urban/Municipal Librarian
Hamilton Public Library
2nd Floor

URBAN MUNICIPAL

MAR 20 1995

GOVERNMENT DOCUMENTS

NOTICE OF MEETING

FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, 1995 March 21st
1:30 o'clock p.m.
Room 233, City Hall

Susan K. Reeder.

Susan K. Reeder,
Secretary

AGENDA

1. **IN CAMERA AGENDA**

2. **CONSENT AGENDA**

3. **MAYOR ROBERT M. MORROW**

   (a) City of Hamilton contribution to the "Good Neighbours' Guide" published by McMaster University in conjunction with the City of Hamilton

   (b) International Great Lakes St. Lawrence Mayors' Conference - Hamilton 1995 June (no copy)

4. **DEVELOPMENT CHARGES SUB-COMMITTEE**

   (a) Development Charges By-law (copy to follow)

   (b) Submission - The Hamilton Harbour Commissioners - Proposed Interim Development Charges By-law

   (c) Request for additional funds to offset increased costs for consulting services for the Development Charges Study

5. **CHIEF ADMINISTRATIVE OFFICER**

(a) Volunteer Centre of Hamilton and District Indoor Golf Tournament

(b) Hamilton Corporate Challenge

(c) Civic Reception - Hamilton International Air Show

6. **DIRECTOR OF PROPERTY**

(a) Contract - Sir Allan MacNab Recreation Centre Building Envelope Rehabilitation

(b) Lease of Mountain Composite Building, 775 Upper Wentworth Street, Hamilton Firefighters Drum Corps Inc.

7. **CITY CLERK**

Request from the Hamilton Wentworth Stroke Recovery Association to purchase an advertisement (message)

8. **OTHER BUSINESS**

9. **ADJOURNMENT**

ROBERT M. MORROW
MAYOR

Mayor's Office
Hamilton

3.(a.)

March 3, 1995

MEMO TO: Susan Reeder, Legislative Assistant
Finance & Administration Committee

FROM: Robert M. Morrow
Mayor

RE: CITY OF HAMILTON CONTRIBUTION TO THE "GOOD NEIGHBOURS' GUIDE" PUBLISHED BY MCMASTER UNIVERSITY IN CONJUNCTION WITH THE CITY OF HAMILTON

RECOMMENDATION: That the City of Hamilton contribute $1,000 towards the publishing of "The Good Neighbours' Guide" which was recently distributed to 8300 university neighbours as a project of the President's Advisory Committee on Community Relations.

BACKGROUND: Four years ago, when the President's Committee on Community Relations was formed, the City of Hamilton contributed $2,000 to the production of the first Neighbour's Guide as it was launched as a McMaster/City partnership and demonstrated a joint commitment for enhancing community relations.

This year, the publication was downsized to reduced costs. City of Hamilton departments co-operated by providing the appropriate information in the brochure which has enhanced City/University/Neighbours relationships.

For your information, a copy of the letter of February 27, 1995 from Joanne Emerson, Director of Public Relations, McMaster University, and a copy of the guide are provided.

Robert Morrow

RMM:DAC:lt

cc Alderman Bob Charters
Chairman, F&A Committee
Alderman Mary Kiss
Alderman Marvin Caplan

City Hall
71 Main Street West, Hamilton, Ontario Canada L8N 3T4
Telephone: (905) 546-2790
Fax: (905) 546-3915 546-2448 (TDD Only)

McMASTER
• UNIVERSITY •

Office of Public Relations

1280 Main Street West, Hamilton ON L8S 4L8
Tel: (905) 525-9140
Fax: (905) 521-1504

Please refer inquiries to:

February 27, 1995

MAR 02 1995

The Honorable Robert Morrow
Mayor, City of Hamilton
71 Main Street West
Hamilton, ON

Dear Mr. Morrow:

I am writing on behalf of the President's Advisory Committee on Community Relations and as a followup to a discussion you had with McMaster President Dr. Kenney-Wallace concerning the City of Hamilton's financial support of the Neighbours' Guide brochure.

The publication, which is distributed to 8,300 University neighbours, helps promote unity in the community and explains the rights and responsibilities of McMaster's area residents. It provides a description of various City by-laws and services and includes a list of phone numbers for inquiries and complaints.

Four years ago, when the PACCR formed, the City contributed $2,000 to the production of the first Neighbours' Guide. It was launched as a McMaster/City partnership and demonstrated to the area residents a joint commitment for enhancing community relations.

This year, we downsized the publication thereby reducing the cost. Should the City decide to co-sponsor this project, its contribution would be $1,000, which helps offset production and mailing costs.

The Neighbours' Guide was printed and distributed September 1994. Copies are attached. We worked closely with City departments to ensure that appropriate information was included. This co-operative effort has been noted in the brochure.

Over the years, we've appreciated the City's involvement in PACCR activities, as well as your personal enthusiastic support.

Once again, thank you for considering co-sponsorship of this important publication.

Sincerely,

Joanne Emerson
Director, Public Relations

JEE/bw
encls.
pc: Dennis Carson

Culture at McMaster – More than 65 plays, musicals, concerts and dance performances are staged annually at McMaster, and they're all open to the community. Don't miss the McMaster Museum of Art, home of the renowned Herman Levy Collection of Impressionist and Post-Impressionist paintings, and the Mills Memorial Library, with its outstanding archival and research collections. For information on any of these, call the Community Information Line, 525-9140, ext. 23659.

Sports and Recreation – McMaster's recreation department offers instruction in aquatics, scuba, aerobics, martial arts, CPR first aid, tennis, squash, dance and more, plus summer sports and science camps for kids. Call Athletics and Recreation, 525-9140, ext. 24464.

This brochure was made possible through the co-operative efforts of McMaster University, the President's Advisory Committee on Community Relations, and the City of Hamilton.

Quick Reference Telephone Numbers

Emergency - Ambulance, Police, Fire 911
Hamilton-Wentworth Regional Police 546-4925
Dundas Detachment 546-4950
Hamilton Fire Department 546-3350
Dundas Fire Department 628-6363
McMaster University Medical Centre
Emergency 521-5020
Poison Information Centre 1-800-268-9017

Municipal Services

Garbage Collection
Hamilton 546-2785 Dundas 628-6327 (ext. 240)
Snow Removal
Hamilton 546-2785 Dundas 628-6327
Traffic/Parking
Hamilton 546-4511 Dundas 628-6327

Noise Control

Hamilton 523-5670
Dundas 628-6327 (ext. 216/217)
Building Department
Hamilton 546-2782 Dundas 628-6327
By-law Information
City of Hamilton 546-2743
Town of Dundas 628-6327

McMaster Community Information Line
525-9140, ext. 23659

Good The Neighbours' Guide

- Your rights and responsibilities as a neighbour
- What to do when problems arise
- How to take full advantage of living in a university community

McMASTER UNIVERSITY

1280 Main Street West,
Hamilton, ON, L8S 4L8
(905) 525-9140



A great place to live

Living near a university campus has its advantages: the pleasure of jogging through green, park-like spaces; the variety of recreational programs available to the community; the wealth of cultural performances, sporting events and intellectual opportunities just a short walk away.

But like resort towns whose numbers swell during the summer months, our community faces challenges that many others don't. With almost 17,000 full- and part-time students – including an influx of 3,000 new faces each year – McMaster University is a continually changing ingredient in the larger community pot, but requires extra stirring to keep all the flavors in balance.

This brochure has been designed to help residents of our vibrant community live in harmony and enhance their enjoyment of all the benefits a university town has to offer.

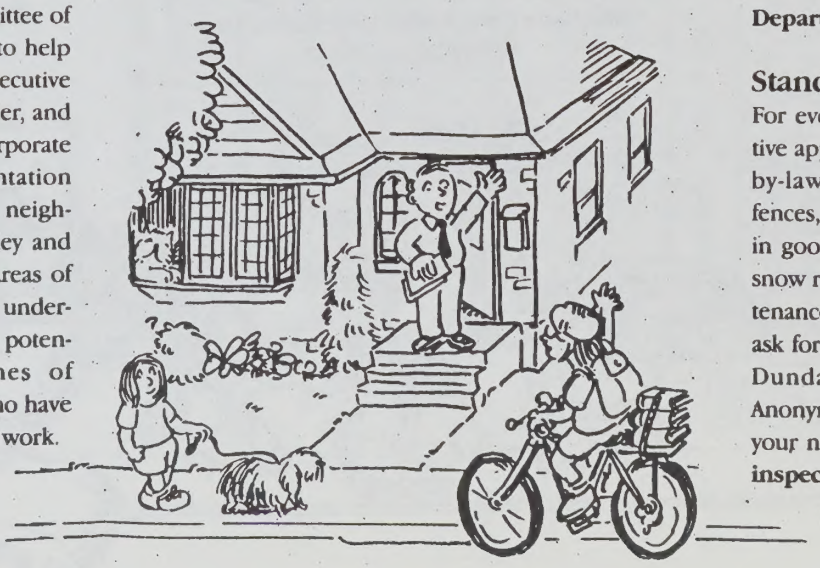
Partners in pride

McMaster is committed to working with all its neighbours to ensure that our community continues to be a great place to live, work, study and play. In 1990, we recruited a special committee of local residents, staff, faculty and students to help us. Currently co-chaired by Roger Trull, executive director, university advancement at McMaster, and Sandra Edrupt, a Westdale resident and corporate planner at Dofasco, it includes representation from each of the University's immediate neighbourhoods: Westdale, Ainsliewood, Binkley and University Gardens. Its role: to identify areas of common interest and concern; to promote understanding and co-operation; to help reduce potential conflicts; and to keep the lines of communication open among all groups who have a vested interest in making our community work.

Making it work

More than 10,000 McMaster students live off-campus each year. Of these, about 2,500 are housed within walking distance of the University. So, it's quite likely that year-round residents will find themselves sharing the neighbourhood with one or two McMaster students. Of course, they will also meet McMaster students who don't live in our community – students on their way to and from classes, working at local businesses or as volunteers in the community, shopping in neighbourhood stores and eating in neighbourhood restaurants. In fact, McMaster students contribute about $1 million annually to the local economy in goods and services purchased.

University students are not so very different from other residents. They, too, want to live in a safe, clean, friendly neighbourhood. They may have different lifestyles – studying while others work or sleep – and they may find it more difficult to form solid attachments to the community (their community is a community of students, after all). But if we are open and honest about our own needs – and remain sensitive to the needs of others – we will help set the stage for positive relationships based on mutual respect and consideration.



Our responsibility to you

McMaster cannot be responsible for every student who attends the University. As citizens of legal age, students are accountable for their own actions. However, we do make every effort to inform and educate students about their civic responsibilities. Each year during Welcome Week (the first week of September), new students to McMaster participate in workshops on alcohol awareness, their rights and responsibilities as tenants, and other programs designed to familiarize them with local by-laws and accepted standards of behaviour at the University and in the surrounding community.

Some common concerns

Noise:

Both the City of Hamilton and the Town of Dundas have by-laws which prohibit noise created by, among other things, loud music, parties, etc. These by-laws are enforced 24 hours a day, whenever a complaint is received. During normal business hours, call the **Hamilton Noise Control Officer**, 523-5670, or **Dundas Town Clerk's Office**, 628-6327. After 5 p.m. and on holidays, call the **Hamilton-Wentworth Regional Police Department**, 546-4925.

Standards and Maintenance:

For everyone's safety and to maintain the attractive appearance of our neighbourhoods, there are by-laws requiring porches, doors, windows, fences, eavestroughs and downspouts to be kept in good repair. Backyards, weeds, garbage and snow removal are also governed by exterior maintenance by-laws. In Hamilton, call **546-2782** and ask for the **Building Inspector** for your area. In Dundas, call the **Clerk's Office, 628-6327.** Anonymous calls will not be accepted; however, your name will be kept confidential. For **health inspections,** call **546-3570.**

Snow Removal:

Homeowners/occupants are responsible for removing snow and ice from sidewalks within 24 hours after a snowfall or freezing rain between September 30 and May 1. Snow/ice must also be removed from any roof sloping toward a sidewalk before 9 a.m. every day except Sunday. If a complaint is filed, the property will be inspected and, if found to be in violation, the owner/occupant will be given 24 hours to comply. Those failing to comply will be billed the cost for municipal removal of the snow/ice. Call **Public Works in Hamilton, 546-2785,** or **Dundas, 628-6327.**

Traffic and Parking:

While most roadways have specific parking and stopping regulations posted on signs, some regulations are applied on a city-wide basis and are not posted on every roadway. For example, unless otherwise posted, parking is not permitted

- for more than 3 consecutive hours
- on a city roadway between 2 a.m. and 6 a.m. any day of the week
- within 1.5 metres (5 feet) of an entrance to a driveway
- within 3 metres (10 feet) of a fire hydrant
- within 15 metres (50 feet) of a bus stop
- within 9 metres (30 feet) of an intersecting roadway
- within 15 metres (50 feet) of a railway track

During business hours, call the Traffic Department, **Parking By-law Enforcement, 546-4511.** After business hours, call the **Regional Police Department, 546-4925.**

Fire Safety and Prevention:

Every dwelling is required to have a smoke detector, the responsibility for which belongs to the owner, not the tenant. Exits should also be easily accessible and free of debris at all times. Contact the **Hamilton Fire Prevention Office, 546-3350, or in Dundas, 628-6363.**

Unlawful Assembly and Mischief:

An unlawful assembly is an assembly of three or more persons who give reasonable grounds for believing that they will or are likely to disturb the peace, or provoke others to disturb the peace. Mischief includes the willful destruction or damage of property; or the obstruction, interruption or interference with any person in the lawful use, enjoyment or operation of property. Call the **Regional Police, 546-4925.**

Liquor:

The Liquor Licence Act - Section 45 prohibits any person from having liquor in a place other than a residence except where the liquor is in a closed container and the container is not in public view. Under Article 5, no person shall be in an intoxicated condition in any part of a residence that is used in common by persons occupying more than one dwelling unit. In other words, you would be contravening the Act if the police were to find an open bottle of alcohol in your possession on the front lawn of a private property or in the hallway of an apartment building. The police can and will lay charges against hosts and guests. Call the **Regional Police, 546-4925.**

Before you call

Have you tried talking to your neighbours first? They may not realize how their actions are affecting you, and may be unaware that you are concerned or upset. Sometimes all it takes is a courteous personal visit to explain the problem. If you work shifts and need to sleep at irregular hours, be sure to let your neighbours know. Inform them of the schedule for garbage pickup, offer to lend your lawn mower or snow shovel, include them in community activities. Open communication and a neighbourly attitude will go a long way to building good relationships.

McMaster's a neighbour, too

At McMaster, we have a wide variety of services, events and ongoing activities available to our friends in the surrounding community:

Speakers Bureau – Looking for a guest speaker for a business meeting, community group, service club or school event? Call the Community Information Line, 525-9140, ext. 23659.

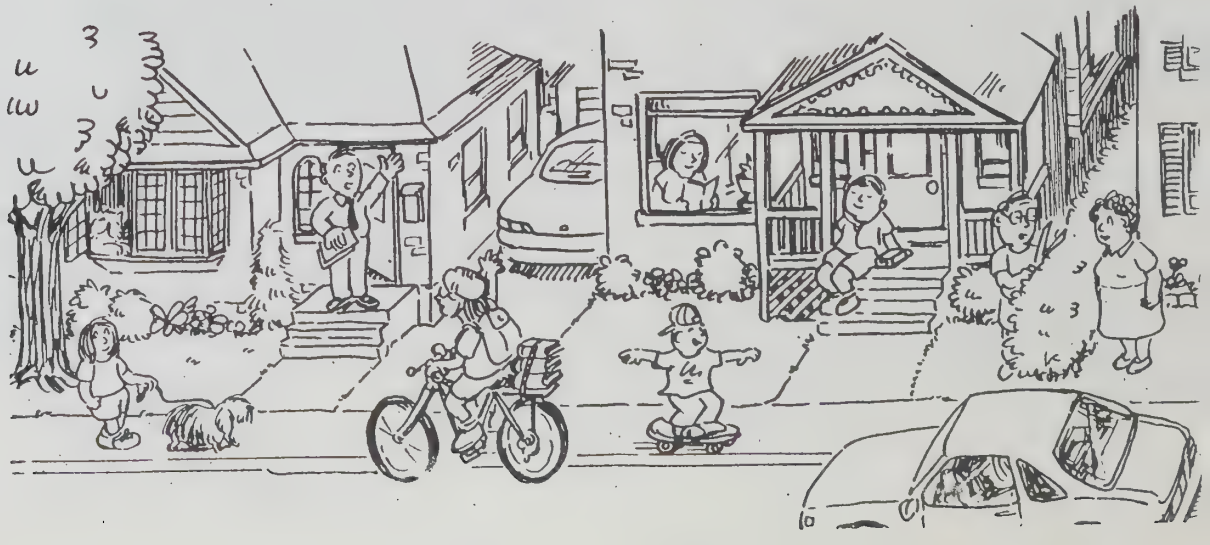
Day Care – The McMaster Children's Centre, 526-1222, provides community day care for 63 children aged 18 months to 5 years. The McMaster Students Union also runs a day care centre at MacNeil Baptist Church for children of the same age, as well as a summer day camp for 5- to 8-year-olds. Call 526-1544.

Income Tax Service – The McMaster Students Union offers a complete income tax service each spring at a very reasonable cost. Call 528-9887.

Campus Communications – Got a service or product to sell? The McMaster Students Union publishes a weekly newspaper, The Silhouette, with a circulation of 13,000 and a large classified section. Call 525-9140, ext. 22052. A staff/faculty newspaper, The Courier, published every two weeks, also accepts advertising. Call 525-9140, ext. 24073. Both publications are available free of charge on campus or in area stores. For the latest in campus news, music and cultural programming, be sure to tune in to McMaster's student-run radio station, CFMU – 93.3 on your FM dial.

Housing – Looking for a home? Need housing advice? Have space to rent to a student? Contact the Off-Campus Housing Office, a referral service for landlords and prospective tenants. The office contains up-to-date listings of rooms, apartments and houses available in the Hamilton area. Call 525-9140, ext. 24086.

Students for hire – McMaster's Placement Service will put you in touch with students who are available for full-time, part-time or summer work in a variety of jobs from research to yard maintenance. Call 525-9140, ext. 24254.



605 James St. N.
Hamilton, Ontario, Canada
L8L 1K1

Phone Numbers
Hamilton 905-525-4330
Inwats 1-800-263-2131

Fax Numbers
Administration 905-528-6282
General Office 905-528-6554

The Hamilton Harbour Commissioners

March 13, 1995

Ms Susan Reeder
Secretary
Finance and Administration Committee
Corporation of the City of Hamilton
City Hall
71 Main Street West
Hamilton, Ontario
L8N 3T4

MAR 14 1995

4. (b.)

Dear Ms Reeder,

SUBJECT: Proposed Interim Development Charges By-Law

This is further to the Public Meeting held on March 9, 1995 respecting the above referenced and the request by the Committee for comments.

We believe that it is the intent of the Development Charges Act that all by-laws adopted pursuant thereto expire within five years. Furthermore, Section 6(5) of the Development Charges Act states that, "Before passing a new development charges by-law, the council shall conduct a review of the development charge policies of the municipality." However, by the City's own admission during the public meeting, this review is underway but not complete. The proposal by the City to simply adopt the same by-law for a period of six months because the new by-law is not ready for adoption is inappropriate and in our view contravenes the legislation.

The City has had five years to undertake the study for the new by-law, but failed to commence the study until recently. We are not aware of any provisions in the legislation which permit the City to essentially "extend" the existing by-law for any period of time because the necessary studies have not been completed.

It is our view that the only alternative available to the City is to not pass a by-law until such time as the study is complete.

Yours very truly,

THE HAMILTON HARBOUR COMMISSIONERS

J. Brookfield
Port Planner
1:667

4. (c.)

CITY OF HAMILTON

- RECOMMENDATION -

MAR 14 1995

DATE: 1995 March 13

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: L. King, P.Eng., Chairman
Development Charges Staff Subcommittee

Allan C. Ross
Treasurer

SUBJECT: Request for additional funds to offset increased costs for consulting services for the Development Charges Study

RECOMMENDATION:

That an additional upset limit of $20,000. for consulting services for the Development Charges Study be allocated from account CH55406-24101 Fees-Consultants as provided for in the draft 1995 Current Budget.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The draft 1995 Current Budget includes a provision for fees for consultants. The additional upset limit of $20,000. is available within this account.

BACKGROUND:

At the 1994 November 2 meeting of the Finance and Administration Committee the committee was in receipt of a recommendation report attached hereto as "Appendix A" recommending the assistance of a consultant to assist with the Development Charges Study. Hemson Consulting Ltd. was retained to assist with the review and development of the Development Charges Study and an upset limit of $35,000. was approved from account CH55406-24101 Fees-Consultants. At the March 9th meeting of the Finance and Administration Committee, the committee approved the enactment of a by-law with a term of 6 months that continues the existing rate structure until the significant issues raised by the new proposal could be completed.

2.

DISCUSSION:

As previously reported to Committee, the scope of work would not fully evolve until the study commenced. With the scope of work now clearly in place and 95% of the work complete, a number of significant development charge issues have emerged resulting in the need for a further review at the staff level and further discussions (as directed) with representatives of the development industry in consultation with the Consultants. At the March 9th Public Meeting, it was recommended to enact a by-law with a term of 6 months that continues the existing rate structure to enable the staff, the development industry and the consultants the opportunity to discuss the key issues and complete the proposal before coming forward to the Committee and Council for approval. Hemson Consulting Ltd. was retained on a fee-for-service basis. Funding beyond the approved limit of $35,000. is now being requested to cover work done to-date and the remaining work required to be undertaken. It is estimated an additional upset amount of $20,000. is required. This funding has been provided for within the draft 1995 Current Budget in account #CH55406-24101, Fees-Consultants. The initial funding was allocated from the 1994 current budget, fees for consultants. It is intended that work on the study will continue as a priority with a view to presenting a proposal well before the 6 month time frame and staff will continue to endeavour to limit consulting costs whenever possible.

/cs
att'd

cc: L. King, P.Eng., Chairman
Review of the Development Charges Staff Subcommittee

Members of the Development Charges Staff Subcommittee

CITY OF HAMILTON

- RECOMMENDATION-

DATE: 1994 November 2

REPORT TO: S. K. Reeder, Secretary
Finance and Administration Committee

FROM: L. King, P.Eng., Chairman
Development Charges Staff Subcommittee

A. C. Ross
Treasurer

SUBJECT: Development Charges Public Meeting and Study

RECOMMENDATION:

a) That approval be granted to host a Public Meeting for Development Charges on 1994 December 8th in accordance with the Development Charges Act, for the purposes of reviewing existing development charge policies and to advise the public of the City's intent to pass a new development charges by-law.

b) That Hemson Consulting Limited be retained by the City to assist in the review and development of the Development Charges Study to commence 1994 November 9, and to be completed by 1995 March 1, based on a proposal submitted by them; and

c) That an upset limit of $35,000. for consulting services for this project be allocated from account CH55406-24101 Fees-Consultants as provided for in the 1994 Current Budget.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The 1994 Current Budget includes a provision for fees for consultants. The upset limit of $35,000. is available within this account. While this account was initially set aside for consulting costs related to organizational restructuring, it use has been considered for other assignments as well. It is projected that funds will remain unspent in the account by-year end.

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BACKGROUND:

At the 1994 September 14th meeting of the Finance and Administration Committee the committee was in receipt of a recommendation report attached hereto as "Appendix A" recommending the assistance of a consultant and that accordance with the Development Charges Act a public meeting be held to review and advise the public of the City's intent to pass a new development charges by-law.

DISCUSSION:

As previously reported to Committee, the City of Hamilton needs to commence a new development charges study. The study will be undertaken primarily by City staff with consulting assistance required in two main areas:

1. Senior level policy/technical advice to assist in determining key areas of study methodology and policy; and
2. Applied research/analysis for any portions of the study that cannot be performed by City staff due to unavailability or lack of necessary expertise.

A proposal call was made regarding the necessary consulting assistance. In response four bids were received quoting hourly rates for senior level advice and research assistance as follows:

Company Name	**Total Costs**
C.N. Watson & Associates	$165./$72.
Hemson Consulting Ltd.	$180./$65.
Morehouse Consultants	$115./$85.
The Coopers & Lybrand Consulting Group	$160./$86.

As the full scope of the work cannot be determined, rates and fees are the only basis for the proposal and the assignment.

Interview and Selection

All four consultants who bid in accordance with the selection guidelines outlined in our

.../3

Request For Proposal were interviewed. All four consulting firms are qualified to undertake the Study based on experience, relevant knowledge and understanding the of Development Charges Act. The interview was structured to deal with issues specific to the City of Hamilton. In particular, the questions concerned the firm's abilities to function in an advisory role for a staff led study and the expertise of the firm in dealing with issues we have previously identified for this study.

After interviews were completed, Hemson Consulting Ltd. were unanimously recommended by the 3 staff who participated in the interviews. It was felt that their experience and expertise best suited the needs of our study.

The scope of work will only fully evolve as the study goes on. The consultants have quoted on a fee-for-service basis with the intent to have staff primarily undertake the work. Staff will endeavour to limit consulting costs whenever possible. Any concerns arising within the scope of work as the study evolves will be brought back to the Committee. An upset amount of $35,000. is specified from the available funds remaining in the 1994 Current Budget Fee-Consultants to approve the necessary funding.

As previously noted, the City must participate in two public meetings. The first public meeting is proposed for December 8th (under Section 6 of the Development Charges Act), to review, advise and discuss the public's experience, reaction and concerns with the by-law currently in effect. A second public meeting (under Section 4 of the Act) will be required (to be scheduled later in the Study), to present the new development charges policies and recommendations. Notice of Public Meeting will be done through a published notice in the newspaper for local circulation with special invitations extended to Hamilton Harbour Commission, the Hamilton-Halton Home Builders' Association, the Hamilton Chamber of Commerce and other parties who have previously expressed interest.

/cs
cc: Development Charges Staff Sub-Committee

5. (a.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 March 09

REPORT TO: S.K. Reeder, Secretary
Finance and Administration Committee

FROM: J.G. Pavelka, P. Eng.
Chief Administrative Officer

SUBJECT: Volunteer Centre of Hamilton and District
Indoor Golf Tournament

RECOMMENDATION:

That the City of Hamilton annually participate in the Volunteer Centre of Hamilton and District's Indoor Golf Tournament; and,

That the City of Hamilton annually budget the fee, presently $150 to enter a Corporate Team to participate in the event; and,

That the City of Hamilton recognize its employees who had perfect attendance records throughout the previous year by randomly selecting four people to form the Corporate Team and to represent the City of Hamilton at this event.

J. G. Pavelka

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The annual cost to enter a Corporate Team is currently $150. In addition to the $150 corporate sponsorship cost by entering four employees, the Corporation would also be foregoing 1/2 day of work for each of the four employees. Contingent on the level of the City employee, the cost could be anywhere from $220 for four attendants to $860 for four department heads.

This year the Annual Indoor Golf Tournament netted a revenue of $3,001., up from the net revenue of $2,057. earned in 1994.

15 Teams @ $150.	$2,250.
City Hall Employee Tournament	
60 Employees @ $5.00	300.
Raffle Tickets	451.
	$3,001.

BACKGROUND:

The 1995 Volunteer Centre of Hamilton and District Indoor Golf Tournament at City Hall received original approval from the Finance and Administration Committee on 1994 June 23, and City Council on 1994 June 6. Due to a conflict, the dates of the tournament were amended by Finance and Administration Committee on 1994 August 25 and City Council on 1994 August 30, so that the employee tournament was held on Thursday, February 23, 1995 and the Corporate Tournament was held on Friday, February 24, 1995.

DISCUSSION:

A. Construction of Green and Hole

The following is a list of departments and the representative who constructed the green and hole for their respective department.

1)	Traffic Department	Ross Holland
2)	Fire Department	David Cossette
3)	Parking Authority	Vince Cosentino
4)	Treasury Department	Shelly Cameron
5)	Roads Department	Bob Lee
6)	Information Systems	Julie Adamson
7)	Property Department	Ann Moffatt
8)	Human Resources	Nav Pooni
9)	Law Department	Anita Guest
10)	City Clerks	Cathy Good
11)	Library	Mary Krasilczuk
12)	Volunteer Centre	Maria Fortunato
13)	Culture & Recreation	Angela Klassen
14)	Public Works	Erik Hess
15)	Building Department	John Spolnik
16)	Planning Department	Christine Lee-Morrison
17)	Alderman's Office	Chrys Fobler
18)	Credit Union	David Reid

The Planning Department won the award for the "Best Hole".

B. Employee Tournament

The number of employees that paid $5 each to participate in the tournament totalled 60, raising $300 towards the Volunteer Centre. All employees who participated expressed their delight playing in the tournament and enjoyed meeting and playing with individuals from other departments within the City and Region.

The top three teams received various prizes, while all other employee participants received a voucher for 2 pre-season Hamilton Tiger-Cat Tickets.

C. Corporate Tournament

The Corporate Tournament took place on Friday February 24, 1995. In total 15 local corporations entered a team of four players. The attached table lists the corporations that participated along with the names of the participants.

This year the City of Hamilton's Corporate Team consisted of four players who were chosen randomly from a list of employees recognized for their perfect attendance record in 1994. The four players/employees were as follows:

Mike Watson - Property Department, Real Estate Division
Dave Powers - Law Department
Alfred Adams - Traffic Department
John Avery - Treasury Department, Purchasing Division

The four employees who represented the City did exceptionally well by recording the best corporate score and collecting some wonderful prizes. This was an excellent idea of recognizing City employees and their participation should be considered for this tournament in future years.

CONCLUSION:

This was the second consecutive year and the last year that this tournament will be held at City Hall. In keeping with the mandate of this tournament, the next two years it will be held at Dofasco's Main Office.

Both the Management Team and the staff have also concluded that the participation in the golf tournament is an excellent way of recognizing that the Corporation of the City of Hamilton places a high value on attendance. For a nominal sum of money, the Corporation has an opportunity to recognize and award employees who have proven to the Corporation that they care enough to have been at work each and every day.

JGP:dd

Attach.

c.c. Ms. Marie Fortunato
Public Relations Co-ordinator
Volunteer Centre of Hamilton & District
206-627 Main Street East
Hamilton, ON L8M 1J5

VOLUNTEER CENTRE 4TH ANNUAL INDOOR GOLF TOURNAMENT
February 23 & 24, 1995
Hamilton City Hall
Final Report

Registered Corporate Teams: Score

1.	Hamilton City Hall	289
2.	Hamilton Fire Department	301
3.	The Spectator	302
4.	Safeguard Elevator Maintenance	304
5.	Toronto Dominion Bank	310
6.	PasWord Communications	310
7.	KPMG Peat Marwick Thorne	321
8.	Minuteman	318
9.	Jakes Tap & Grill	328
10.	Wood Gundy	329
11.	Sheraton Hamilton Hotel	330
12.	Hamilton Police Department	332
13.	Dofasco II	335
14.	Cadillac Fairview Corporation	342
15.	Dofasco I	353

Other Winners:

Best Hole - 7th Floor	Downtown Challenge
Closest to the Hole #9	Cam Nolan
Best Score - 64	Ken Lindsey
Honest Golfer - 94	Angela Coviello
Longest Drive	Christine Silverberg

5. (b.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 March 17

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. Joe Pavelka
Chief Administrative Officer

SUBJECT: Hamilton Corporate Challenge

RECOMMENDATION:

(a) That in keeping with a zero percent increase, that an amount of $2,625.80 be approved for the Hamilton Corporate Challenge to be used towards the cost of entering and sponsoring two (2) teams of Civic employees taking part in the Hamilton Corporate Challenge being organized by the Hamilton and District Chamber of Commerce on Sunday, 1995 June 11 at Christie Conservation Area; and,

(b) That funding for this expenditure be financed from the Unclassified Account.

J. S. Pavelka

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

$2,625.80 to be derived from the Unclassified Account

BACKGROUND:

The City of Hamilton has sponsored teams since 1986. Each team consists of twenty (20) employees from various Civic departments (10 male and 10 female). The aim of the Corporate Challenge is to promote good health and physical activity. It is also hoped that the "Challenge" will help to foster greater understanding and co-operation amongst all members of the Corporate community.

cc A. Ross, Treasurer
G. Mazetti, Team Captain, c/o Information Systems Department

5.(c)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 March 17

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. Joe Pavelka
Chief Administrative Officer

SUBJECT: Civic Reception - Hamilton International Air Show

RECOMMENDATION:

(a) That in keeping with a zero percent increase, that the City of Hamilton host a reception for the Hamilton International Air Show to be held on Firday, 1995 June 16, at a cost not to exceed $7,000.; and,

(b) That this expenditure be financed from the Special Civic Receptions and Delegation Hostings Account No. CH 55314 84010.

J. D. Pavelka

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

$7,000. to be financed from the Special Civic Receptions and Delegation Hostings Account.

BACKGROUND:

The City of Hamilton has hosted a Civic Reception for the Hamilton International Air Show since its inception.

HAMILTON INTERNATIONAL
AIR SHOW FOUNDATION

150 KING STREET EAST, SUITE 416, HAMILTON, ONTARIO L8N 1B2
BUS: (905) 528-4425 FAX: (905) 528-8499

DISPLAY DATES
June 17, 18/95

January 31, 1995

Mr. Kevin Christenson
Legislative Assistant
City of Hamilton
City Clerks Office
City Hall
71 Main Street West
Hamilton, Ontario L8N 3T4

Dear Mr. Christenson:

Planning for the 1995 edition of the Hamilton International Air Show is in full gear. In previous years, the City of Hamilton has provided invaluable support by sponsoring a Civic Reception for participants and volunteers. These receptions have proved to be important components of our hosting responsibilities for air crews from around the world. The outside venue at the Hamilton Airport was extremely well received in 1994 by all our invited guests as well as the crews.

This year the **USAF Thunderbirds Jet Team** will be featured at the Air Show. Our reputation as a **premier air show** has succeeded us as we are the only air show in Canada that the Thunderbirds will appear in.

We would ask the City of Hamilton to sponsor, again, the 1995 Civic Reception scheduled for Friday, June 16, 1995.
The estimated cost of the '95 reception is $9,000.

As the Hamilton International Air Show grows in size and reputation, the benefits to the City and Region are considerable.

We have greatly appreciated your support in the past and look forward to a long-lasting partnership in the future.

Yours truly,

Eunice Tyzio

Eunice L. Tyzio
Director of Operations

ELT:sk

6.(a.)

CITY OF HAMILTON

- RECOMMENDATION -

MAR 10 1995

DATE: 1995 March 10

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Sir Allan MacNab Recreation Centre Building Envelope Rehabilitation

RECOMMENDATION:

a) That a purchase order be issued to Bestco Construction Corporation in the amount of $104,776.54 inclusive of G.S.T. ($6,854.54) for the rehabilitation of the building envelope at Sir Allan MacNab Recreation Centre being the lowest of seven tenders received in accordance with specifications (REF: C14-1-95) issued by the Manager of Purchasing.

b) That the Mayor & City Clerk be authorized to execute a contract in a form satisfactory to the City Solicitor.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

That this expenditure be financed through account No. CF-5200-319441015 MacNab Recreation Centre - Building Envelope Repairs.

BACKGROUND:

This recreation centre was constructed in the early 1980's. Condensation and air movement from the pool has penetrated the outside wall envelope over the years and combined with the freeze/thaw cycle during the winter months has cause severe damage to the outside brick face. The City of Hamilton commissioned Morrison, Hershfield, Building Consultants, to conduct a building study and report on their findings. This report dated November 30, 1993 outlines the deficiencies and recommends installation of a sealed air vapour barrier and reconstruction of the exterior pool walls. This work will be undertaken as soon as weather permits. It is expected to take up to 3 months to complete. All work will take place from the exterior, therefore no programming interruption will occur.

Tenders received:

Bestco Construction Corp.	$104,776.54
S.T.F. Construction Ltd.	106,435.04
D.S. Alvey Ltd.	109,140.00
James Kemp Construction Ltd.	117,325.50
Demik Construction Ltd.	118,128.00
Isbister Restoration Ltd.	121,980.00
Harm Schilthuis and Sons Ltd.	132,182.00
Michael Bruen Construction Ltd.	unacceptable

cc: P. Noé Johnson, City Solicitor
A. Ross, Treasurer
R. Desnoyers, Assistant Manager,
Building Operations & Maintenance Division
B. Turnbull, Administrative Assistant II, Purchasing
R. Hamilton, Maintenance Co-ordinator
Building Operations & Maintenance Division
R. Fair, Director of Culture & Recreation

6. (b)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 March 10

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Lease of Mountain Composite Building
775 Upper Wentworth Street
Hamilton Firefighters Drum Corps Inc.

RECOMMENDATION:

a) That the City of Hamilton enter into a lease with the Hamilton Firefighters Drum Corps Inc. respecting the use of the City owned building at 775 Upper Wentworth Street; and,

b) That the term be for a period of four (4) months commencing 1995 April 1 and expiring 1995 July 31, at a rental rate of $200 per month due on the first (1st) day of each month and proceeds be credited to Account No. CH 44104 31106 (Rental Civic Property - Civic Properties Rented); and,

c) That the Mayor and City Clerk be authorized and directed to execute the agreement in a form satisfactory to the City Solicitor.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

All proceeds be credited to Account No. CH 44104 31106 (Rental Civic Property - Civic Properties Rented).

BACKGROUND:

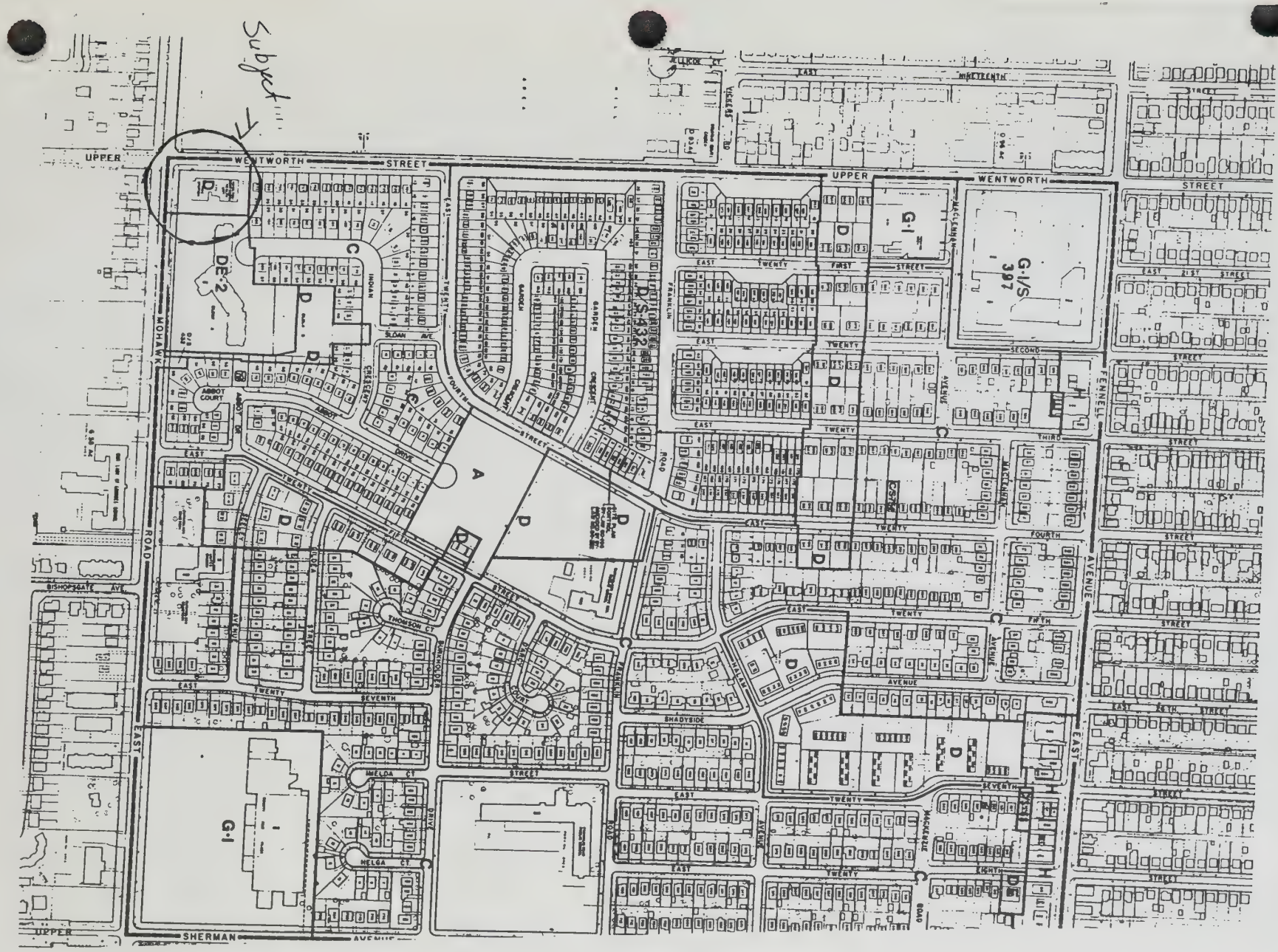
The Hamilton Firefighters Drum Corps Inc. are currently in the process of erecting a new practice facility on Dartnall Road. Their current practice facility at the Hamilton Airport is scheduled for demolition and they have been asked to vacate as soon as possible. The Mountain Composite Building at 775 Upper Wentworth Street, which was formally leased to the Regional Health Department, is vacant and is currently up for sale by the City. It would accommodate the firefighters request to practice Thursday evenings and every second Sunday afternoon. Their new building is scheduled for completion in July 1995 when this lease would expire.

RJH/nw

c.c. P. Noé Johnson, City Solicitor

Allan C. Ross, Treasurer

R. Swan, Manager, Building Operations and Maintenance Division


Subject
UPPER WENTWORTH STREET
EAST TWENTY FIRST STREET
EAST TWENTY SECOND STREET
EAST TWENTY THIRD STREET
EAST TWENTY FOURTH STREET
EAST TWENTY SEVENTH STREET
EAST TWENTY EIGHTH STREET
EAST TWENTY NINTH STREET
MOHAWK ROAD
FERNCLIFF AVENUE
SHERMAN AVENUE
BISHOPSGATE AVE.
ABBOT COURT
THOMSON CT.
WELDA CT.
HELGA CT.
SHADYSIDE AVENUE
G-1
G-1/S 397
D-432
DE-2

7.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 March 14

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: Request from the Hamilton Wentworth Stroke Recovery Association to purchase an advertisement (message)

RECOMMENDATION:

That consideration be given to the request from the Hamilton Wentworth Stroke Recovery Association to purchase an advertisement in the 1995 Fact and Information Book of the Hamilton Wentworth Stroke Recovery Association.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The cost of a full page advertisement is $1,000./a half page advertisement is $500./a quarter page advertisement is $250. Funding for this expenditure is available in the Advertising and Promotion Account of the City Clerk's Office Account No. CH 56302 12000.

BACKGROUND:

In 1991 and 1990, City Council approved recommendations of the Finance and Administration Committee to purchase quarter page advertisements at a cost of $225. each.

In 1992, the Finance and Administration Committee received a request for the purchase of an advertisement from the Hamilton Wentworth Stroke Recovery Association, and due to extreme budget restraints, took no action on the request. This was in keeping during this time of budget restraint where a number of similar requests were also denied.

Since that time, the following approvals have been given:

- 1993 July 7 - $500. - Message of welcome - Canadian Club National Convention
- 1994 February 8 - $245. - Message of Support - Kinsmen Magazine
- 1994 April 26 - $400. - Message of Greeting - 1994 Inaugural Yearbook - Hamilton Labour Council
- 1994 June 28 - $540. - Message of Congratulations - 75th Anniversary of the Sons of Italy Publication
- 1994 August 30 - $2,675. - half sponsorship with Region - Hamilton Football's 125th Anniversary Commemorative Book
- 1994 October 11 - $700. - 1995 Greater Hamilton Business Directory and Buyer's Guide - Message of Greeting for City's 1996 Sesquicentennial

HAMILTON WENTWORTH STROKE RECOVERY ASSOCIATION

500 Upper Wellington Street, #3, Hamilton, Ontario L9A 3P5 • (905) 385-1639

OFFICE OF THE CITY CLERK

FEB 01 1995

REC. BY ... DATE ...
REF'D. TO ... DATE ...
REF'D. TO S.K.R. DATE ...
REF'D. TO ... DATE ...
ACTION: F.Y.A.

January 29, 1995

Mr. Joseph Schatz
City Clerk
The city of Hamilton
71 Main St. W.
Hamilton, Ontario L8N 3T4

Dear Mr. Schatz:

In conversation with Alderman Domenic Agostino regarding my request that the City place an advertisement in our 1995 Fact and Information Book, Mr. Agostino suggested that this request be made in a letter to you.

For the past 16 years, the H.W.S.R.A. has been providing stroke survivors and their families * rehabilitation * recreation * counselling * medical information and general on-going support. Now, using funds raised through our Fact Book, we are introducing a new-to-Canada system called Conductive Education, which aims not only to improve the motor skills, but also the emotional and intellectual aspects of stroke survival. It is our goal to establish a permanent facility in Hamilton which will offer this valuable system.

Your support of this project is vital to us and a tangible show of that support by taking an ad in our Book will be greatly appreciated. The advertising rates are:

Full Page: $1000.00 Half Page: $500.00 Quarter Page: $250.00

If you have any questions or require any further information, please call me at (905) 525-7803. In the meantime, we will look forward to a generous response from the City. Thanks.

Very truly yours,

George Thomson

George Thomson
Fact & Information Book Co-ordinator

cc. Alderman Domenic Agostino

2.

CONSENT AGENDA

FINANCE AND ADMINISTRATION COMMITTEE
TUESDAY, 1995 MARCH 21ST

A. **MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE**

(i) Minutes of the regular meeting held 1995 March 7th

(ii) Minutes of the special meeting held 1995 March 9th

B. **CITY CLERK**

Use of City facilities - Demonstration - 1995 March 8 - Women's Centre of Hamilton-Wentworth

C. **COMMISSIONER OF HUMAN RESOURCES**

Appointments To and Terminations from Permanent Positions

D. **DIRECTOR OF PUBLIC WORKS**

Replacement of Two (2) Self-Contained 15 Ft. Rotary Mowers, Fleet Services

E. **SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE**

Information Items

Tuesday, 1995 March 7
1:30 o'clock p.m.
Room 233, City Hall

A. (i)

The Finance and Administration Committee met.

There were present:
Alderman B. Charters, Chairman
Alderman D. Ross, Vice-Chairman
Mayor Robert M. Morrow
Alderman T. Anderson
Alderman D. Agostino
Alderman D. Wilson
Alderman M. Kiss
Alderman D. Drury
Alderman V. Agro

Also present:
Alderman T. Jackson
Alderman H. Merling
J. Pavelka, Chief Administrative Officer
D. Carson, Mayor's Office
P. Noé Johnson, City Solicitor
R. Sabo, Law Department
D. Rose, City Clerk's Department - Licencing Division
J. Schatz, City Clerk
J. Johnston, Commissioner of Human Resources
L. King. Building Commissioner
A. Ross, Treasurer
D. Vyce, Director of Property.
Fire Chief Baker
Deputy Fire Chief Smith
Susan K. Reeder, Secretary

AGENDA

A. DELEGATIONS

(a) Public Meeting - Adult Movies in Convenience Stores

(i) Ms. Kathy Connor, representing Elliot Heights Baptist Church

Ms. Connor spoke to the Committee with respect to the personal experiences where her son inadvertently entered the sectioned-off area where Adult Movies were shown, and her anger and distress at the results to her son. She indicated that children of a young age should not have to be exposed to this type of material.

(ii) Bill Johnstone, Canadians for Positive Community Standards

The Committee was in receipt of a faxed message from Eleanor Johnstone on this issue, as well as a binder of information presented to all members of the Committee by Bill Johnstone. Mr. Johnstone spoke to the Committee and indicated that he has observed less that 50% of compliants with the City By-laws, and that in fact Adult Videos are in full view within the Variety Stores. In this regard, he indicated that the By-law needs to be tightened up and compliance ensured. He also advocated support for the City of Newmarket Resolution.

(iii) Lorne Funnell, Principal, St. Cecilia School

The Committee was in receipt of a transcript from Mr. Funnell dated 1995 March 2, respecting his presentation on the issue of Adult Videos, as well as correspondence from him dated 1995 February 7 to Alderman Wilson, as Chairperson of the Licencing Committee.

Mr. Funnell spoke to the Committee, in the capacity as Principal of St. Cecilia School, and a representative of the School's Community Advisory Council and also as a concerned parent. He expressed his views with respect to the City's By-laws and the issue of Adult Movies in Convenience Stores. He made a proposal that the area where Adult Movies are sold are contained in a separate locked room with a key available only from the proprietor, and that this would assist in toughening up the By-law.

(iv) Patrick J. Daly, Chairperson of the Board, and representatives, The Hamilton-Wentworth Roman Catholic Separate School Board

The Committee was in receipt of correspondence from Mr. Daly dated 1995 February 3, to Alderman Wilson as Chairperson of the Licencing Committee.

The Committee was also in receipt of correspondence from Mr. Daly dated 1995 March 2, respecting this matter.

Mr. Daly thanked members of the Committee for the opportunity to speak to them on this matter. He indicated that they recognized that pornography is not a local issue, however, the display in Convenience Stores is.

He indicated that students frequent Variety Stores unescorted by Adults during lunch hours. He indicated that he would like to see amendments to the sections of the By-law with specific reference to requiring a locked door to the room where Adult Movies are displayed and that opaque covers be required on Adult Movies.

Further, he indicated that 16 and 17 year old cashiers are also exposed and that this issue also needs to be considered.

(v) Edward J. Beattie - on behalf of Community Delegation

The Committee was in receipt of correspondence from Ms. Marjorie Leitch dated 1995 March 1, indicating that Mr. Beattie would be speaking on behalf of their Delegation.

The Committee was also in receipt of correspondence forwarded by the Mayor, from Mrs. Leitch on this matter.

Alderman Charters also made reference to the petition received by the Ward 6 Aldermen, with over 700 names of Constituents opposed to Adult Movies being displayed and/or sold in corner Convenience Variety Stores.

Mr. Beattie indicated the dangers of pornography and its links to violence. He encouraged the Committee to remove videos and/or tighten restrictions for these videos being sold and displayed in Convenience Stores. He also suggested that a proper door be placed on this area with Adults only entering, that the jackets be covered with an opaque cover and that youth employees not be hired by stores selling and displaying Adult Videos.

ADDED - Joe Bairdo

Joe Bairdo, a concerned parent and member of the St. Cecilia Parents Council, also spoke to the Committee with respect to his concerns. He indicated that there is a legal responsibility affixed to the sale of Adult Videos. He also indicated that Adult Video Stores adhere to one set of rules and Variety Stores another when it comes to the sale of videos.

He stated that the argument of competition and freedom of expression do not apply in this instance. He added that there is an ethical responsibility in this matter which is apparently lacking in the Community. He added that profit at all cost is wrong. He urged political responsibility to the Community to prevail in taking action in this regard.

ADDED - Helen Manning

Mrs. Helen Manning spoke to the Committee with respect to her concerns.

The Committee was in receipt of correspondence from the Sexual Assault Centre (Hamilton and Area) dated 1995 March 6, supporting Mrs. Manning's efforts in ridding Variety Stores of Pornographic Videos.

Mrs. Manning indicated that there is inconsistency of the enclosed area where Adult Videos are sold in Variety Stores. She said that the proliferation of this material is a constant pain to women who have ever been assaulted, and this material robs children of their innocence. She concluded by indicating that Adult Videos are not a "Freedom of Expression" but rather "Freedom to Exploit".

(vi) Petition - Ward 6 Community

The Committee was also in receipt of correspondence from Teresa Hartnett, President of Our Lady of Lordes Parent Teacher Association dated 1995 March 1, to Alderman Merling.

(vii) Information Report - Acting City Clerk - Adult Videos

The Committee was also in receipt of an Information Report from the Acting City Clerk, respecting Adult Videos.

The City Clerk spoke to the Committee with respect to this report at the beginning of the meeting.

The Committee then discussed this matter at great length and following this discussion the Committee approved the following:

That the City Clerk report back to the Finance and Administration Committee in one month's time (Tuesday, 1995 April 4) on the following:

(a) A License Fee increase for Convenience Stores selling Adult Videos; and,

(b) An enclosed locked room with access by a key obtained by adults only from the store proprietor; and,

(c) The requirement that Adult Videos are contained in opaque covers; and,

(d) To look at all other possible methods of restricting Adult Movies in Convenience Stores.

(b) Response from the Finance and Administration Sub-Committees to the recommendations of the Task Force to Review Sub-Committees

(i) Farmers Market Sub-Committee

The Committee was in receipt of correspondence from the Farmers Market Sub-Committee dated 1995 February 27, respecting their comments in this matter.

The Committee was also in receipt of background information respecting the Farmers Market Sub-Committee.

Carmen Misale and Yvonne Banks of the Farmers Market Sub-Committee spoke to the Committee. They indicated that they would like to see a continuation of the Sub-Committee with 4 meetings a year, and its mandate returned to the original one where the Sub-Committee was formed for an opportunity for Stallholders to express concerns to it. They also requested that luncheons be deleted.

The members of the Committee then discussed this matter at some length and approved the following:

(a) That the Hamilton Farmers Market Sub-Committee continue as a Sub-Committee of the Finance and Administration Committee; and,

(b) That the Sub-Committee meet up to 4 times a year or at the call of the Chair; and,

(c) That the Market Manager continue to be responsible as the Secretarial Support and Resource Staff attending these meetings, with the attendance of the Manager of Administration from the City Clerks Office attending only as required; and,

(d) That the Sub-Committee take all measures possible to reduce meeting costs.

(ii) Hamilton Status of Women Sub-Committee

The Committee was in receipt of a number of brochures presented by the Hamilton Status of Women Sub-Committee on its mandate and projects.

The Committee was also in receipt of background information from the City Clerks Office, respecting the cost breakdown for the Hamilton Status of Women Sub-Committee.

It was noted that the total estimated annual costs for the Hamilton Status of Women Sub-Committee are $89,846.28.

Agnes Samson, Chairperson of the Hamilton Status of Women Sub-Committee addressed the Committee with respect to their proposals for reducing the cost of their Committee.

The Committee then discussed this matter at some length and it was moved, seconded and carried to approve the following:

(a) That the Hamilton Status of Women Sub-Committee continue as a Sub-Committee of the Finance and Administration Committee; and,

(b) That no Secretarial/Resource Staff services be provided by the City; and,

(c) That the City provide the Hamilton Status of Women Sub-Committee with meeting facilities; and,

(d) That the 1995 Current Budget Allocation for the Hamilton Status of Women Sub-Committee be increased from $11,200. to $25,000.

ADDED - Taxi Advisory Sub-Committee

Alderman Drury asked to speak to the Committee with respect to the future of the Taxi Advisory Sub-Committee.

Alderman Drury indicated that there is a need to retain the Taxi Advisory Sub-Committee to discuss issues prior to presenting them to the Finance and Administration Committee.

In this regard, the Committee approved the following:

(a) That the Taxi Advisory Sub-Committee continue as a Sub-Committee of the Finance and Administration Committee; and,

(b) That the Sub-Committee meet at the call of the Chair; and,

(c) That no Secretarial/Resource Staff be provided.

The Chairman indicated to members of the Committee that the decisions of the Finance and Administration Committee on its Sub-Committees will not be presented to City Council as the Standing Committee has the authority over its Sub-Committees. The Chairman added that an information memorandum to members of the Committee would be forwarded to them prior to the next meeting of City Council for its information.

The Committee then approved the above-noted amended recommendations respecting its Sub-Committees.

(a) Hamilton Municipal Employees Retirement Fund Committee

That the Hamilton Municipal Employees Retirement Fund Committee continue as a Sub-Committee of the Finance and Administration Committee

(b) Hamilton Status of Women Sub-Committee

(i) That the Hamilton Status of Women Sub-Committee continue as a Sub-Committee of the Finance and Administration Committee; and,

(ii) That no secretarial/resource staff services be provided by the City; and,

(iii) That the City provide the Hamilton Status of Women Sub-Committee with meeting facilities; and,

(iv) That the 1995 current budget allocation for the Hamilton Status of Women Sub-Committee be increased from $11,200. to $25,000.

(c) Hamilton Farmers Market Sub-Committee

(i) That the Hamilton Farmers Market Sub-Committee continue as a Sub-Committee of the Finance and Administration Committee; and,

(ii) That the Sub-Committee meet up to four times a year or at the call of the Chair; and,

(iii) That the Market Manager continue to be responsible as the secretarial support and resource staff attending these meetings, with the attendance of the Manager of the Administration from the City Clerk's Office attending only as required; and,

(iv) That the Sub-Committee take all measures possible to reduce meeting costs.

(d) French Sub-Committee

(i) That the French Sub-Committee be disbanded; and,

(ii) That a registry of existing members be created to serve as a resource for the Finance and Administration Committee, so that they can be contacted and reactivated as a Task-oriented group when the Finance and Administration Committee has specific issues that it wishes to refer to this group for comment and input.

(e) Taxi Advisory Sub-Committee

(i) That the Taxi Advisory Sub-Committee continue as a Sub-Committee of the Finance and Administration Committee; and,

(ii) That the Sub-Committee meet at the call of the Chair; and,

(iii) That no secretarial/resource staff be provided.

(f) English Language Sub-Committee

That the English Language Sub-Committee be disbanded.

(g) Advisory Committee on Equitable Representation on Committees, Boards and Commissions

(i) That the Advisory Committee on Equitable Representation on Committees, Boards and Commissions be disbanded; and,

(ii) That a registry of existing members be created to serve as a resource for the Finance and Administration Committee, so that they can be contacted and reactivated as a Task-oriented group when the Finance and Administration Committee has specific issues that it wishes to refer to this group for comment and input.

Note: This Committee has fulfilled its mandate with the implementation of a new process for appointing members to City Committees, Boards and Commissions. The Committee could be called upon from time to time to provide input on the Equitable Representation Survey conducted by the Human Resources Centre and to provide members to serve on the Selection Committee when interviews of citizen members are held.

(h) Keep Hamilton Clean Committee

(i) That the Keep Hamilton Clean Committee be disbanded; and,

(ii) That the responsibilities for this Sub-Committee's mandate be transferred to the Transport and Environment Committee; and,

(iii) That the Transport and Environment Committee give consideration to having the functions performed by the Keep Hamilton Clean Committee be assumed by the Public Works Department in a similar manner as the Beautification Committee. (ie projects such as the Spotless Debate, Pitch-In Week, etc. can be done by groups of volunteers from the community, and funds for these projects can be budgeted from within the Public Works Department budget)

(i) Hamilton Sesquicentennial Celebrations Committee

No action is required.

With the approval of City Council, this Committee has now been Incorporated, and is independent from the City structure. The Committee is task-oriented, and will be disbanded after the City's Sesquicentennial in 1996. For liaison purposes, staff resource persons from the City Clerk's Office and the Department of Culture and Recreation are working with this group.

(j) Safe City Committee

That the Safe City Sub-Committee continue as a Sub-Committee of the Finance and Administration Committee.

Note: In accordance with the Terms of Reference and Mandate of the Safe City Sub-Committee approved by the Finance and Administration Committee on 1994 September 22nd, no staff resources will be required for this Sub-Committee. The City will provide meeting facilities.

For the information of the members of the Finance and Administration Committee, it was agreed that a review of the staff resources and expenses for the following Committees would be undertaken and a report back be presented to the Committee for consideration:

Hamilton-Scourge Committee

Mayor's Committee Against Racism and Discrimination & Mayor's Advisory Council Against Racism and Discrimination

It was also indicated at the meeting of the Finance and Administration Committee that the status be approved for the services being provided to the following Committees:

Municipal Non-Profit (Hamilton) Housing Corporation & Hamilton Housing Company

That the secretarial support and resource staff support continue being provided by the Housing Department and charged to the Municipal Non-Profit (Hamilton) Housing Corporation.

Canadian Football Hall of Fame and Museum Management Committee

That the City Clerk review the resources presently being provided with the Hall of Fame General Manager.

1. IN CAMERA AGENDA

The Committee met In Camera to discuss matters of a Private and Confidential nature.

The Committee then moved back into Regular Session and approved the following:

AA. CITY SOLICITOR AND DIRECTOR OF PUBLIC WORKS - City of Hamilton - ats- Fairclough; Ontario Court (General Division) Action #18981/90

(a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 18981/90 by the payment to the Plaintiffs, Mark and Dana Fairclough, of the sum of $2,950. inclusive of all claims for damages, interest and costs; and,

(b) That the Plaintiffs be required to execute a Full and Final Release to the City of Hamilton in a form satisfactory to the City Solicitor; and,

(c) That the action and all crossclaims in the action be dismissed without costs.

CC. CITY'S CITIZEN REPRESENTATIVE ON THE CONSTITUENT ASSEMBLY ON THE MUNICIPAL GOVERNMENT SYSTEM IN HAMILTON-WENTWORTH

The Finance and Administration Committee directed that the following lists of names be forwarded to the Nominating Committee for its consideration in appointing the City's Representative to serve on the Constituent Assembly on the Municipal Government System in Hamilton-Wentworth:

Don Jervis

Al Fabian

Al Stacey

Owen Boris

Herman Turkstra

2. CONSENT AGENDA

The Committee was in receipt of its Consent Agenda and approved the following:

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

The Committee was in receipt of the minutes of its regular meeting held Tuesday, 1995 February 21 and a special meeting held on Tuesday, 1995 February 28 and approved these minutes as circulated.

B. CITY CLERK

(i) Taxicab Priority List Annual Renewal for 1994

The Committee was in receipt of a report from the City Clerk dated 1995 February 22, respecting the above noted matter and approved the following:

That the City of Hamilton Taxicab Priority List of 228 names of individuals who renewed their names on the Taxicab Priority List, in accordance with By-law 93-069, attached herewith and marked Appendix "A", be approved.

(ii) Use of City Hall facilities - Display of New Hamilton Court House Model

The Committee was in receipt of a report from the City Clerk dated 1995 February 16, respecting the above noted matter and approved the Committee approved the following:

That approval be given to the action taken by the City Clerk in authorizing the Project Development Branch of the Ontario Realty Corporation to use the second floor foyer (west end) from Friday, 1995 February 17 until Friday, 1995 March 3 to display a model of the New Hamilton Court House.

C. DIRECTOR OF PROPERTY - Closure of Property Department Capital Projects

The Committee was in receipt of a report from the Director of Property dated 1995 February 24, respecting the above noted matter.

The Committee approved the following:

That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of financing:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/ Committed To Date	Balance Available	Source(s) of Financing
(a) 319441007	Rosedale Arena-Roof Replacement	$180,000.00	$137,861.12	$42,138.88	CL
(b) 319441008	Scott Park Arena - Roof Replacement	150,000.00	147,290.64	2,709.36	CL
(c) 319441012	Farmers' Market-Roof Replacement	134,000.00	104,432.86	29,567.14	CL
(d) 489441034	Central Fire Station-Major Repairs	86,120.00	86,110.22	9.78	RCP
(e) 709241002	Chedoke Pool-New Change/Washroom Facilities	175,000.00	173,816.55	1,183.45	RCP
		TOTAL		$75,608.61	

D. TREASURER - Authorization to enter into extension agreements on specific properties for the payment of realty tax arrears

The Committee was in receipt of a report from the Treasurer dated 1995 March 1, respecting the above noted matter. The Committee approved the following:

(a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

227 Mary
188 Cavell
188 Graham South
316 Woodward
101 Robins
1024 King East
224 Mary
1291 Cannon East
22 Belmont
58 Garside South
32 Britannia
712 Upper Gage

(b) That the Mayor and City Clerk be authorized to execute the by-law and extension agreements.

ADDED - TREASURER - Development Charges

The Treasurer spoke to the Committee with respect to the upcoming special meeting of the Finance and Administration Committee on Thursday, 1995 March 9, respecting a Public Meeting on Development Charges. He indicated that it is apparent that the Consultant and Staff Process is almost completed, but needs a further few months to be thoroughly concluded. In this regard, he indicated that Thursday's meeting will recommend a six month By-law to continue the By-law as it presently stands, in order to allow a number of substantive issues to be addressed.

He added that matters will come to a conclusion sooner than three months time.

4. **DIRECTOR OF PROPERTY - Realty Sales Procedural By-law 95-049 - Declaration of Surplus Property**

The Committee was in receipt of a report from the Director of Property dated 1995 February 27, respecting the above noted matter.

The Committee approved the following:

That the following properties be declared surplus to the requirements of the City in accordance with the Realty Sales Procedural By-law 95-049:

(a) 775 Upper Wentworth Street
(b) 91 Nash Road North
(c) 817* Stone Church Road East
(d) 940 Queensdale Avenue East
(e) 284 Sherman Avenue South
(f) 253 Kenilworth Avenue North
(g) 195 Parkdale Avenue North
(h) 1477 Upper James Street
(i) 96* Stone Church Road East
(j) 1319 Main Street East
(k) 26 Ewen Road
(l) 45* Owen Place
(m) 177 Sherman Avenue North
(n) 314 Grosvenor Avenue North

6. **ADJOURNMENT**

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder
Secretary
1995 March 7

/dbm

Appendix "A" referred to in Section 2 of the EIGHTH Report of the Finance and Administration Committee for 1995.

CITY OF HAMILTON
TAXICAB PRIORITY LIST

NOTE: Plate issuances are NOT automatic for any reason. All applications are considered within the terms and conditions contained in relevant by-laws as enacted by Hamilton City Council.

All addresses without the name of a City/Town are located within the City of Hamilton.

EFFECTIVE: JULY 25, 1989 - City Council
REVISED: Dec. 31, 1994

APPLICATION DATE YR/MO/DAY	NAME
73.5.11	Lou Parco
75.8.18	Simon Hishmeh
75.9.15	Hassan Agha
78.1.25	Barbara Jean O'Neill
78.2.1	Marilyn Majoros
78.2.13	Paul Hathaway
78.2.15	Theresa Donald
78.2.15	Roman Jankevicius
78.2.16	Cecil Snow
78.2.23	Robert Offen
78.3.7	George Kepenyes

78.4.3	Hans Wienhold
78.4.17	Khalil Zourob
78.7.24	Ishar Singh Thiara
78.12.5	William T. Winship
79.3.30	Joseph Kubina
79.4.3	Peter C. Eldridge
79.5.9	Muriel Truelove
79.5.9	John Driscoll
79.5.9	Ken Muschik
79.5.9	Gordon Simigian
79.5.9	Gary A. Vere
79.5.9	Richard M. Stolman
79.5.10	Gerald J. McRoberts
79.5.10	Garry C. Gardiner
79.5.10	Petros Iliou
79.5.10	Steve Iliou
79.5.10	Norman L. Domenico
79.5.11	Norman G. Chatten
79.5.11	June Luke
79.5.14	Judith Offen
79.5.15	Daniel Gagnon
79.5.17	Edward J. Halloran
79.5.18	Walid Chafic

79.5.18	Leopauld G. Beauchamp
79.5.22	Yair Ziser
79.5.23	Hannibal Rizzuto
79.5.28	Malcolm R. Moore
79.5.28	Colin O'Rourke
79.5.28	William D. Cranston
79.6.1	Thomas G. Brown
79.6.4	Lynne B. Clay
79.6.6	Leonard Willetts
79.6.26	Gerald J. Tremblay
79.6.28	Earl J. Shaidle
79.7.5	Stan Krok
79.7.12	Wainwright Cruickshank
79.7.13	Gordon Cumming
79.8.15	Adnan Shedhadeh
79.9.11	Sharon Bellamy
79.10.01	Daniel L. Bernier
79.10.5	Lorraine Mooney
79.10.30	William J. Perkins
79.11.9	Larry Roberge
79.11.14	Roger Francoeur
79.11.19	Michael McLoughlin

79.12.6	Peter Obratoski
79.12.17	Zuhair Shihadeh
79.12.18	Dan Bissett
80.1.14	Antal Takacs
80.2.11	J. Michael Grant
80.2.12	Marc Stuart Hathaway
80.2.14	Yoginder K. Sharma
80.2.27	Adelia Balice
80.2.28	Cosimo Balice
80.3.26	Paul Voloundakis
80.7.14	Anthony Paul DiCiccio
80.7.29	Inam-Ur-Rehman
80.10.6	Joginder S. Sanghera
80.10.6	Gurdip S. Soor
80.12.5	Mohammad Ahmed
80.12.18	William T. Stokoe
80.12.22	Kaloust Kaloustian
80.12.23	Robert Koczerzat
80.12.24	Solomon Marcellin
81.1.7	Randall G. Cruden
81.1.20	Michele A. Gilmour
81.4.8	Nathan Anderson

81.4.22	John Weiss
81.4.30	Shirley Hathaway
81.8.6	Daniel Veltri
81.10.26	Stephen Jones
81.10.30	Ronald Mladenich
81.11.24	Wayne Stewart McGregor
81.12.14	Elaine Suggett
81.12.16	George Truelove
81.12.18	Larry E. Fitzpatrick Sr.
82.1.13	Donald Horrocks
82.1.18	Richard Urban
82.1.28	John Francis Mooney
82.1.28	Anthony Rizzuto
82.2.1	Philip Dales
82.2.8	Drago Basic
82.2.10	Alecia Davis
82.2.26	John C. MacDonald
82.3.18	Theodors Toma
82.4.5	Putrus Isak
82.4.14	Jogindar Singh Dhaliwal
82.6.8	Keith Johnson
82.6.10	Donna Bourke

82.6.24	William Khammo
82.6.24	Andrea Rochelle Rosart
82.7.6	Pat Rostron
82.7.6	Randy Rostron
82.7.21	Thomas F. Sebisty
82.7.21	Pierre Richard
82.8.9	Frederick R. Neale
82.10.8	Richard Sindall
82.10.18	Harbans Singh Kalsi
82.11.1	Mark Granby
82.11.8	Uffe Mortensen
82.11.8	William G. Romans
82.12.1	Sam Veltri
82.12.17	Elizabeth Jane Milligan
82.12.17	Tessie Mary Manson
82.12.23	Ahmad Malik
83.2.21	Ronald Geer
83.4.27	Basil W. Scime
83.5.18	Devinder Bains
83.6.9	Sandra Fukumoto
83.7.4	Dane Hathaway
83.8.15	Madan Lal Arora

83.9.19	Brenda Roberge
83.10.25	Mohinder Singh Lamba
84.1.26	Lee Michael Vidovich
84.1.31	Richard VanKleef
84.7.12	Rudolph A. Cizek
84.8.2	Jefferson Lee Johnson
84.10.1.	Alan R. Kent Sr.
84.10.1	Alan R. Kent
84.10.1	Janice Parry Kent
84.10.3	Collette Roberge
84.10.10	Anthony P. Tartaglia
84.10.10	Al Reichert
84.10.22	Anne Scime
84.10.30	Paul Marshall
84.10.31	Darryl Scott Friend
84.11.20	Bruce Griffith
84.12.14	Kidane Gebre Zerezghi-Tewolde
84.12.19	Michael Roth
84.12.19	Ben Kalika
84.12.28	Ronald W. Moroz
85.1.24	Sukhdev Singh Bhatti
85.2.26	Mohammad Naeem Khan

85.4.4	Naomi E. Brink
85.5.29	Delmer(Wayne)Robinson
86.1.16	Leonard Roberge
86.1.31	Jack H. Yachouh
86.1.31	Karlis Valodze
86.2.6	Rudolf J. Weber
86.5.8	Ian E. Morrice
86.7.2	Michael Geer
86.7.3	Denise Georgian
86.8.5	Shabir Ahmed
86.9.5	Habte-ab Tecle-Mariam
86.10.2	Ibrahim Saddik
86.10.23	Peter H. Robertson
86.12.10	John Fischer
86.12.15	Jeff Sindall
86.12.29	Anthony R. Rizzuto
86.12.29	Felita Anderer
86.12.29	J. Wayne Vanderham
86.12.29	Lance Vanderham
86.12.29	Shahid Butt
86.12.30	Shakil Siddiqui
87.1.2	Rob Hathaway

87.1.5	Basharat Butt
87.1.8	William Majoros
87.1.9	Eric Shepherd
87.1.20	Ken A. Watson
87.1.26	Wayne Lepine
87.2.10	Dirk J. Van Boort
87.2.19	Gordon A. Greb
87.2.23	Edward Seeley
87.2.26	Radmila R. Iliou
87.3.6	Peter Kalika
87.4.21	John R. Kurpeikis
87.5.1	Joseph Vanderheyden
87.5.16	Nabo Terika
87.5.29	Kenneth C. Reichert
87.8.31	Alisa A. Cleary
87.10.8	Bonnie L. Roubos
87.11.25	William P. McKenna
87.12.21	Joseph Varga
88.1.4	Berhane Asghedom
88.1.5	Frederick J. Muldoon
88.1.6	Mario Posteraro
88.1.13	Jagir Multani

88.1.14	Gurdeep Braich
88.1.18	Paul J. Shaver
88.1.29	Mohammad Farooq
88.2.10	Michael J. Magee
88.2.12	James Whittaker
88.2.22	Raphael Kolenko
88.2.22	Al Arthurs
88.2.26	Martha Ferguson
88.2.26	Sam Sleiman
88.3.31	Brian Cosgrove
88.4.19	Rodger McEachern
88.4.25	Audrey Johnson
88.5.4	Pantelis Ilios
88.5.11	Farrukh Qureshi
88.6.24	Ijaz H. Syed
88.8.7	Ronald Airth
88.9.6	Claudio Balice
88.9.19	Ghulam N. Butt
88.10.20	Michael G. Ford
88.11.4	Robert Maschewski
88.11.10	George Hutchinson
88.11.16	Sandra Hathaway

89.1.10	Ronald VanKleef
89.1.11	Brent J. Dawson
89.1.13	Ray Maurice
89.1.24	Jerry Zaraski
89.2.13	Larry P. E. Broadbent
89.4.5	Daniel Sullivan
89.4.24	Mary Button
89.7.13	Josephine Rizzuto
89.7.26	Peter Rihbany
89.8.3	Dimitrios Alkabakopoulos
89.8.8	Elizabeth Elkan
90.06.15	William Perks
90.08.31	Gail Rizzuto
91.02.20	Ronald Roberge
91.03.26	Edward C. Beattie
91.04.17	Tokunbo(Dave)Ogunlade
92.01/03	Jagtar Singh Chahal
92.09.04	Angela Rizzuto

Thursday, 1995 March 9
9:30 o'clock a.m.
Room 233, City Hall

A. (ii)

A Special Meeting of the Finance and Administration Committee was held.

There were present: Alderman B. Charters, Chairman
Mayor Robert M. Morrow
Alderman M. Kiss
Alderman D. Wilson
Alderman D. Drury
Alderman D. Agostino

Regrets: Alderman D. Ross, Vice-Chairman - Other Business
Alderman V. Agro - Illness
Alderman T. Anderson - Illness

Also present: Alderman M. Caplan
P. Noé Johnson, City Solicitor
C. Secore, Treasury Department
L. King. Building Commissioner
P. Lampman, Building Department
A. Ross, Treasurer
N. Adhya, Treasury Department
L. Farr, Law Department
D. Carson, Mayor's Office
Susan K. Reeder, Secretary

AGENDA

1. **Public Meeting - Development Charges**

The Building Commissioner spoke to the Committee with respect to the work of the Consultant, Hemson Consulting Limited, on Development Charges. Mr. King indicated that the study is complete but that input from the Industry has yet to be done. In this regard, he requested that work continue with the study with discussions being held with the Development Industry and interested parties as the proposal is being developed. He indicated that the recommendation of staff is that a new Development Charges By-law be passed for the next six months which continues the existing rate structure.

The Consultant, Fred Koenig, outlined the Study and the features of the Development Charges.

Allan Ross, Treasurer, spoke to the Committee with the proposed action and proposed recommendation for Development Charges. As well, he outlined the present fee structure and fees collected on Development Levies to date.

Mayor Morrow spoke to the Committee and urged that the Committee and Council give consideration to freezing Development Charges in the Downtown Area to encourage growth.

Kathy Drewitt of the Hamilton Chamber of Commerce addressed the Committee in regards to the concerns of the Chamber of Commerce. She indicated that the School Boards are also looking at imposing Development Charges and asked if the City could consider passing an interim By-law to waive the charges until such time as the new By-law is ready to be passed.

Some Committee discussion ensued with respect to her comments.

Mr. Larry Szpirglas of the Hamilton-Halton Homebuilders Association indicated that the Industry is frustrated at the amount of taxation that they presently are required to pay and made reference to Council's recent decision on Re-zoning Application Fee increases. He stressed that it is not a crime for Business people to make a profit.

The Committee then approved the following:

(a) That a By-law with a term of 6 months be enacted to continue the existing Development Charges rate structure, and presented along with written comments received, to the March 21st meeting of the Finance and Administration Committee and the Bill forwarded to the March 28th City Council meeting for approval; and,

(b) That the Treasurer, City Solicitor and Building Commissioner's work continue as a priority on the Development Charges Study with a view to presenting a proposal to the Finance and Administration Committee well before the six month time frame; and,

(c) That the Treasurer, City Solicitor and Building Commissioner hold discussions with the Development Industry and interested parties as the proposal is developed.

Mayor Morrow also made a recommendation which was seconded and carried as follows:

That the Treasurer report back to the March 21st meeting of the Finance and Administration Committee with an Information Report on the present City and Regional charges in the Downtown area.

The Chairman indicated to those in attendance that written submissions are required in one week's time and that they should be forwarded to the Committee Secretary.

ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder
Secretary
1995 March 9

/dbm

B.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: March 6, 1995

REPORT TO: Susan K. Reeder, Secretary
Finance & Administration Committee

FROM: J.J. Schatz
City Clerk

SUBJECT: Demonstration - 1995 Wednesday, March 08
Women's Centre of Hamilton-Wentworth

RECOMMENDATIONS:

That approval be given to the actions taken by the City Clerk in authorizing the Women's Centre of Hamilton-Wentworth to use the City Hall forecourt and the property located on far north/east side (closest to the Unified Family Court), for a brief demonstration in support of a local woman in her quest to protest a court order.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The Women's Centre of Hamilton-Wentworth has requested the use of the City Hall forecourt and the property located on the far north/east side (closest to the Unified Family Court), for a brief demonstration in support of a local woman in her quest to protest a court order that was made at the Unified Family Court.

cc: Mayor's Office
Rob Swan, Building Operations & Maintenance Division
Information Desk

C.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 March 10

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: John Johnston
Commissioner of Human Resources

SUBJECT: Appointments To and Terminations from Permanent Positions with the Corporation of the City of Hamilton (C-016-095)

RECOMMENDATION:

That the attached listing of Appointments To and Terminations from Permanent positions with the Corporation to 1995 March 10 be approved.

JJ/mb

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

BACKGROUND:

Attached.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Ms. Carol Alkema	I	Assistant Collections Clerk (13)	Treasury	New Position Council Approved December 13, 1994	$31,511.48 to $35,808.24	Jan. 30/95
Mr. Keith Anderson	I	Senior Property Officer/ Appraiser (24)	Real Estate	Replacing Mr. W. Moffatt - promoted, Nov. 07/94	$43,233.84 to $49,130.64	Feb. 20/95
Mr. Mark Antolich	I	Signs & Markings Specilist (11-C)	Traffic	Replacing Mr. J. Hamilton - promoted, Dec. 31/94	$28,956.20 to $31,989.88	Feb. 06/95
Mr. Richard Bowman	I	Captain (C-8)	Fire	Replacing Mr. D. Johnstone - retired, Oct. 28/93	$61,750.44	Feb. 05/95

Prepared March 10/95

Status

Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Glen Foster	I	Attendant II (4-A)	City Clerk's	Replacing Ms. K. Kudrawec - retired, March 31/94	$25,372.88 to $27,579.24	Feb. 17/95
Mr. Patrick McCafferty	I	Captain (C-8)	Fire	Replacing Mr. S. Morelli - retired, Oct. 30/93	$61,750.44	Feb. 05/95
Ms. Lynda Piper	I	Cemetery Support Clerk I (14)	Cemetery	Restructuring Council Approved December 13, 1994	$32,575.92 to $37,020.36	Jan. 02/95

Prepared March 10/95

Status

Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Peter Dellerba	Lead Hand/Truck Driver	Public Works	Terminated	13 years, 9 months	Feb. 16/95
Mr. Robert Jantzi	Forester III	Public Works	Terminated	12 years, 9 months	Feb. 15/95
Mr. Donald Keba	Project Manager	Property	Terminated	11 years, 9 months	Feb. 07/95
Mr. Libero Malisa	Concrete Finisher	Public Works	Terminated	7 years, 8 months	Feb. 16/95
Mr. Domenic Vecchioni	Labour/Truck Driver	Public Works	Terminated	10 years, 7 months	Feb. 16/95

Prepared March 10, 1995

Glossary of Terms

Terminated - long term disability
- discharge
- downsizing
- redundant

Resigned - personal betterment
- personal reasons

D.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 March 7

MAR 13 1995

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. D. Lobo
Director of Public Works

SUBJECT: Replacement of Two (2) Self-Contained 15 Ft. Rotary Mowers, Fleet Services

RECOMMENDATION:

That a purchase order be issued to Turf Care Products, Newmarket, in the amount of $135,701.00, including all applicable taxes and trade-in, for the replacement of two (2) units #0102, 9527 for Fleet Services, being the lowest acceptable of two tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X503 00101.

Lobo

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

This vehicle acquisition is for the replacement of existing equipment through the 1995 Fleet Services vehicle replacement programme, as approved by City Council on January 31, 1995. The capital acquisition costs are carried within the Reserve for Mobile Equipment Account.

BACKGROUND: Tender Analysis

	With Trade	Without Trade
Podolinsky Equipment Ltd., Petrolia		
Unit 0120	$50,486.35*	$53,186.35*
Unit 9527	42,386.35*	53,186.35*
Turf Care Products, Newmarket		
Unit 0120	$61,100.50	$74,600.50
Unit 9527	62,720.50	74,600.50

* The mowers bid by this company do not meet specification in several areas as follows:

1) An 80 horsepower diesel engine was specified, allowing 20 MPH road speed for travelling to various park location. The mower offered has a 38 horsepower diesel engine with a road speed of only 11.7 MPH.
2) Two west coast, swing-away type mirrors and a sun visor was specified, also required for road travel. Bidder responded no, to both items.
3) An overall cutting width of 15 feet minimum was specified. Bidder is offering a cutting width of only 11.67 feet.
4) Rear discharge mower decks were specified for safety reasons. Bidder responded no.
5) Foot and hand type throttle controls were specified. Bidder responded no.
6) Heavy duty, segmented rubber caster wheels were specified. Bidder is offering standard pneumatic tires.
7) Height of the cut from 1 inch to 5 1/2 inch was specified. Bidder is offering a height of cut from 3/4 inch to 4 1/4.
8) Each cutting deck will include a spring loaded breakaway feature that will reset automatically upon impact. Bidder responded, no breakaway feature.
9) Minimum of 40 gallon hydraulic system was specified. Bidder is offering 7 gallons.
10) Low oil indicator and automatic shut-down system will be included. Bidder responded no.

This tender was advertised and six suppliers requested to bid. Two responded and four declined.

These vehicles will replace existing equipment rendered obsolete by the criteria established within the vehicle replacement programme.

Unit 9527 will be disposed of at a future auction.

DM/DL

cc: C. Guthro, Manager of Fleet Services
J. Avery, Assistant to Manager, Purchasing
D. Manningham, Vehicle Acquisition Officer
L. Barker, Administrative Co-ordinator

E.

CITY OF HAMILTON

-RECOMMENDATION-

DATE: 1995 March 17

REPORT TO: Alderman B. Charters, Chairman & Members,
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary,
Finance and Administration Committee

SUBJECT: **Information Items**

RECOMMENDATION:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Minutes - VE Day Celebrations Committee - meeting held 1995 January 18

(b) Minutes - Keep Hamilton Clean Committee - meeting held 1995 February 1

(c) Minutes - VE Day Celebrations Committee - meeting held 1995 February 15

Susan K Reeder

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The above-noted documents have been sent out to members of the Committee and the applicable staff for information purposes, and are being formally presented to the Committee in order to be officially received. Approval of this recommendation to receive these documents will ensure that the circulation procedure followed for these matters is recorded.

Urban/Municipal Librarian
Hamilton Public Library
2nd Floor

NOTICE OF MEETING

URBAN MUNICIPAL

APR 5 1995

GOVERNMENT DOCUMENTS

FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, 1995 April 4th
1:30 o'clock p.m.
Room 233, City Hall

Susan K. Reeder.

Susan K. Reeder, Secretary
Finance and Administration Committee

AGENDA

DELEGATIONS

1. Theatre Aquarius - Request for City's support - Private Members' Bill - Tax Exemption

   (a) Recommendation - City Solicitor and Treasurer

2. **Street Vendors Program**

   (a) Tom and Cindy Anderson - Bidding Policy, Street Vendors Program.

   (b) Correspondence - Director of Operations/Events Delivery, HECFI - City of Hamilton, Street Vendors Program

   (c) Report - Director of Public Works - Street Vendors Program

3. **IN CAMERA AGENDA**

4. **CONSENT AGENDA**

5. **MAYOR ROBERT M. MORROW**

   Federation of Canadian Municipalities - National Packaging Protocol (NAPP)

6. **CITY CLERK**

   (a) Display of Adult Videos - Amendments to the Adult Video By-law

   (b) 1995 F.C.M. Annual Conference - 1995 June 9 - 12, Toronto

   (c) Use of the name "Hamilton" - The Greater Hamilton Chinese Dragon Boat Race Society.

7. **DIRECTOR OF PROPERTY**

   (a) Confirmation of Sale of land to Corrine and John Martin at corner of Stone Church Road and DiCenzo Drive

   (b) Canadian Polish Congress - Request for Display Area at City Hall

8. **OTHER BUSINESS**

9. **ADJOURNMENT**

Lewis Brown Scarfone Hawkins

BARRISTERS AND SOLICITORS

E. Wade Fernihough
Milton J. Lewis, Q.C.
Joseph G. Speranzini
David Thompson
Donald B. Hawkins
James A. Scarfone
Michael J. Valente
Douglas F. Cousins*
Afsar Z. Shah
Robert S. Brown
James C. Brown, LL.M.
Jeffrey C. Teal
Mark A. Murray
Anna Ventresca

* Certified by The Law Society as a Specialist in Family Law
* Associate

STANDARD LIFE CENTRE
Suite 1050
120 King Street West
P.O. Box 926 Depot #1
HAMILTON, Ontario
L8N 3P9

Telephone: (905) 523 1333
Facsimile: (905) 523 5878

30 Village Centre Place
MISSISSAUGA, Ontario
L4Z 1V9

Telephone: (905) 279 4004
Facsimile: (905) 279 1996

Reply to: HAMILTON

1.0

March 27, 1995

VIA FAX ONLY (905) 546-2095

The Corporation of the City of Hamilton
71 Main Street West
City Hall
Hamilton, Ontario
L8N 3T4

Attention: Susan Reeder, Secretary to the Finance and Administration Committee

Dear Madam:

RE: Committee Meeting of April 4, 1995

On March 27, 1995, Shirley Elford, President of Theatre Aquarius Board of Directors, and myself met with Mr. Robert Charters in regard to a matter of great importance to Theatre Aquarius. At that time, we provided Mr. Charters with a brief setting out full details as to a request that will be put to the Finance and Administration Committee and then hopefully, ultimately, to Council.

The request simply stated is to ask the City of Hamilton to pass a resolution supporting a Private Members Bill to the Ontario Legislature to eliminate municipal taxes on the Theatre property as well as eliminating all arrears of taxes.

Our purpose in coming before the Committee is to seek the Committee's recommendation of our request and to secure it's approval for our request. I understand that we may appear before the Committee on April 4, 1995 in Room 223 at 1:30 p.m. I hope that this letter is sufficient for purposes of adding the Theatre's matter to your agenda which may be entitled "Theatre Aquarius Private Members Bill to Eliminate Municipal Taxes".

We are in the process of completing enough briefs for all the Committee Members and will have them available well before the meeting of April 4, 1995. We look forward to seeing you then.

Yours very truly,

LEWIS, BROWN, SCARFONE, HAWKINS
Per:

JAMES A. SCARFONE
JAS:pc

1. (a.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 March 29

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: P. Noé Johnson
City Solicitor

Allan C. Ross
Treasurer

SUBJECT: Theatre Aquarius - Private Member's Bill Request

RECOMMENDATION:

a) That the request on behalf of Theatre Aquarius for the City's support for a Private Member's Bill for elimination of municipal taxes and tax arrears on their Theatre property, be received;

b) That staff be directed to prepare a report to the Finance and Administration Committee regarding this request.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Any request for tax relief requires the concurrence of all recipients of taxes, eg. the School Boards, and the Regional Municipality. In accordance with Provincial guidelines, the submission will eventually have to be forwarded to the other levels of government prior to reaching the Legislature.

BACKGROUND:

At your meeting of April 4, 1995, Theatre Aquarius will be presenting a brief requesting the City pass a resolution supporting a Private Member's bill to the Ontario Legislature to eliminate municipal taxes on the Theatre property as well as eliminating all arrears of taxes.

This brief was not available at the time of this report's preparation. It is therefore recommended that the submission from the Theatre be received and that staff be directed to prepare a report the Finance and Administration Committee providing all necessary information including but not limited to the financial summary of taxes and the legal process prior to the Committee's consideration.

PNJ/acr

Tom & Cindy Anderson
838 Roxborough Ave.
Ham. Ont. L8H1T3
5443568

March 21, 1995

MAR 23 1995

2.(a.)

Susan K. Reeder
Secretary of Finance & Administration:

Dear Susan: I am writing this letter to request to appear as a delegation at the Finance & Administration meeting of Tuesday April 4/95 at 1:30 pm. in room 233. I am deeply concerned about the new bidding policy for the new street vendor program.

Having been a street vendor for 10 yrs. in the same location I find myself in a position of losing what I have worked hard for and also facing an uncertain future. This new policy of bidding has caused great stress and headache for my family and myself.

Sincerely Yours:
Tom & Cindy Anderson.

"Copy sent to: R. Gadawski - Public Works Dept. - 1995 March 31".

THE HAMILTON ENTERTAINMENT AND CONVENTION FACILITIES INC.

MEMORANDUM

2.(b)

MEMO TO : **FINANCE AND ADMINISTRATION COMMITTEE**
Attention: Susan Reeder, Secretary

FROM : Mr. B. Calder, P.Eng.
Director of Operations/Events Delivery, HECFI

DATE : 1995 March 29

SUBJECT : **CITY OF HAMILTON: STREET VENDORS PROGRAMME**

At the 1995 March 22 meeting of the HECFI Operations Committee, management was directed to correspond with the City of Hamilton's Finance and Administration Committee respecting concerns associated with the congestion created around the street vendors' carts located on the east sidewalk of Bay Street and adjacent to the main entrance to Copps Coliseum.

Specifically, when attendance for events at Copps Coliseum exceed 10,000 in number, congestion is created in and around the two licenced vending cart locations. This congestion impedes pedestrian flow along the Bay Street sidewalk. The City Traffic and Public Works Departments have previously been made aware of our concerns and an invitation has been extended to these departments to observe pedestrian movement during an event at which there are in excess of 10,000 patrons.

The Operations Committee respectfully requests the Committee's consideration of authorizing HECFI's prerogative in relocating the street vendors to a more suitable location during those events when there is an excess of 10,000 patrons. Please be assured that it is not the intention of HECFI to hinder or discourage the street vendors programme but to only resolve an issue which is of concern.

I have attached herein a diagram which details the present locations of the vending stations as well as suggested alternate locations.

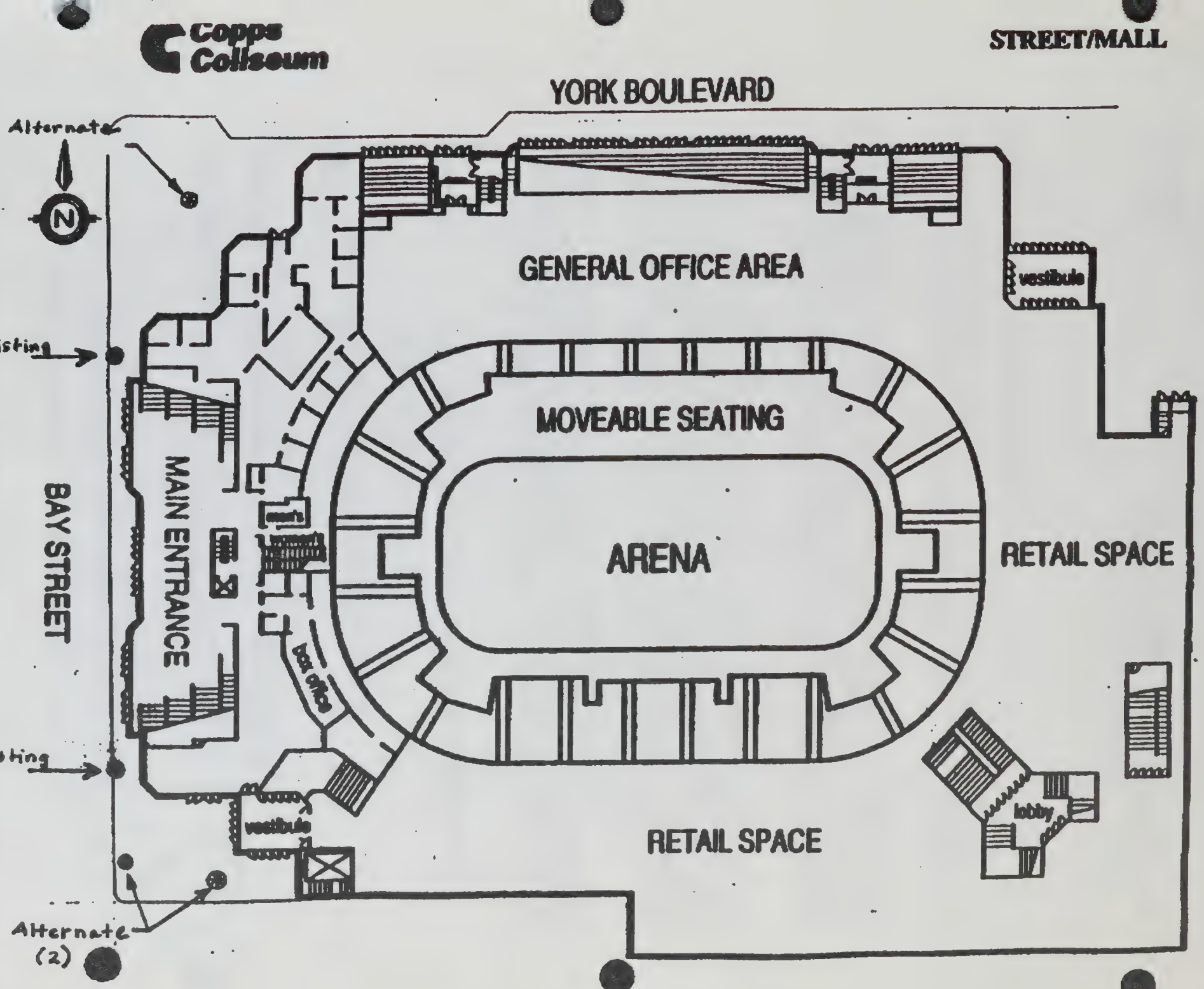
I thank you for your attention to this matter.

Brad Calder, P.Eng.

BNC:mgm
Attachment

cc: Mr. G. Macaluso, Managing Director/CEO, HECFI

416-527-6856 COPPS COLISEUM 632 P03 MAR 31 '95 15:23



CITY OF HAMILTON

- RECOMMENDATION -

2.(c.)

DATE: 1995 March 30

REPORT TO: S. Reeder, Secretary
Finance and Administration Committee

FROM: D. Lobo
Director of Public Works

SUBJECT: **Street Vendors Program**

RECOMMENDATION:

a) That the Director of Public Works be authorized to proceed with a request for proposals to solicit street vendors for approved locations for a term of three years and,

b) That the five (5) existing (in existence since 1986) vendor locations in the attached Schedule "A" be incorporated into the Public Works Department Street Vendor program through the three year term proposal call and subject to meeting the new criteria and,

c) That those sites identified in the attached Schedule "B" be approved as Street Vendor locations and,

d) That the attached Schedule "C" outlining the evaluation criteria which will be used in the request for proposals package be approved and,

e) That a five member Street Vendor Selection Committee be appointed.

D. Lobo

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The financial benefits of expected revenue cannot be determined at this time. The Public Works Department did however take in revenue in the amount of $6,050 on the 1994 Street Vendors Program that is used to administer the program and facilitate any cleaning of vendor sites that may be required.

The licence fees received under the old program (per Schedule A) were $500 per location per year for a total of $2,500. These fees have been received and administered by the City Clerks Department.

The administration of the new Street Vendor Program is currently undertaken by the Public Works Department and no new staff positions will result.

Combining the two programs would consolidate responsibility for these like activities under one department.

All vendors under this new program will also be required to obtain the appropriate vendors licence for a fee of $500 per year.

BACKGROUND:

On 1994 April 26, City Council approved the pilot Street Vendors Program under the administration of the Public Works Department. Council had granted prior approval for locations in four (4) City parks.

City Council at it's meeting dated April 26, 1994 approved the Street Vendors Program. The selection committee approved the following six vendors for nine locations for 1994 only:

Name	Cart Location	Product	Fee
Helen Pawlowski	s/w corner of King & James	sausage/hot dogs/soft drinks	$1,200
Hanna & Krzysztof Zarzycki	Court House	sausage/hot dogs/soft drinks	$ 500
Ewa & Edward Cawricz	Stelco Tower	sausage/hot dogs/soft drinks	$1,200
"Willy Dog"	City Hall Forecourt	sausage/hot dogs/soft drinks and other products subject to Health Dept. approval	$1,501
"StrEATables" Vending	Pier 4 Park	sausage/hot dogs/soft drinks	$1,000
"StrEATables" Vending	Dundurn Park (pavilion area)	sausage/hot dogs/soft drinks OR ice cream	$ 250
"StrEATables" Vending	n/e corner James & Wilson	ice cream	$ 150
"Mocha Moments"	Standard Life Bldg. (King & Bay)	Gourmet coffee, Cappuccino, Expresso	$ 250

It was felt that by approving more locations it would cause an overabundance of sausage and hot dog carts in the downtown core. The Ministry of Health has very strict regulations pertaining to the sale of food and/or beverages from vending carts and for this reason the variability of what can be sold is limited and most vendors had applied to vend hotdogs and sausages.

Once the vendor locations have been approved the Public Works Department will advertise the vendor locations in the Hamilton Spectator and contact all existing and known vendors from previous programs. All of the proposals will be reviewed by the Public Works Department, Streets Division and recommendations will be made to the five member selection committee. It is also the intent of the Public Works Department to incorporate park locations to be advertised in the newspaper and these vendors will also be required to adhere to the criteria attached as Schedule B.

The Public Works Department has received letters from the public concerning the location of certain vendor locations and written documentation from other departments in regards to pedestrian traffic. All of these concerns were documented and addressed during the selection of vendors sites for 1995 and beyond. A meeting was also held with the original Street Vendors Steering Committee and the 1994 vendors. Their ideas have also been incorporated into this report.

It is the intent of the Public Works Department to offer a three year vendor program with the attached locations.

The original Steering Committee report approved by Committee and Council in April 1994, indicated in the background that the five original locations (Schedule A) would be included in the new program (if the test was successful) and be subject to the tendering process. During the evaluation process staff became aware of conflicting opinions of "fairness".

At least one of the original operators (1985) has indicated that they operated during lean years when no one was interested in providing the service, that they have provided good service and that they should be either given the location for as long as they are willing to operate or at least be grandfathered for the first three year term.

Many of the operators in the 1994 test program have indicated that if grandfathering is allowed, they too should be included. They contend that they have made major investments for equipment for the short term of the 1994 test and had just started building up the service base. They have not had the opportunity to recover their costs.

Some potential operators advised that they did not bid in 1994 because of the shortness of the test season but they are interested in longer term bids.

Other suggestions include:

1. Have a fixed fee for all locations and draw operators names out of a hat.
   Comments: However, not all locations are equal, some operators do not want to operate at certain locations.

2. Utilize the same procedure as is used for taxi licences. The location and licence belongs to the operator for as long as they want to or are able to run it.

The City of Hamilton has traditionally made all food and concessions service agreements through the open competitive bid process. During the 1994 test program, commitment was made to carry on with the competitive bidding in the future.

The recommendation is in keeping with practice and commitments.

CFE/DF/RG/rb
attachments

c.c. J. Pavelka, Chief Administrative Officer
c.c. P. Noé Johnson, City Solicitor
c.c. C. Mascarenhas, Acting Manager of Purchasing
c.c. C. Firth-Eagland, Manager of Streets & Sanitation
c.c. B. Chrystian, Manager of Parks
c.c. D. Farquhar, Manager of Administration
c.c. R. Gadawski, Horticultural Technical Assistant

SCHEDULE A

FIVE EXISTING STREET VENDOR LOCATIONS
(In existence since 1985)

1. South-east corner of Bay at York Street (Copps Coliseum)
   Tom Anderson - 1986

2. North-east corner of King Street East and Catharine Street
   Troy DeSouza - 1987

3. North side of King Street East, east of James Street
   Paul Reardon - 1986

4. East side of Bay Street, south of York Street (Copps Coliseum)
   Tom Anderson - 1986

5. South side of York Street at the entrance to the Farmers Market
   Troy DeSouza - 1987

SCHEDULE B

STREET VENDING LOCATIONS

Street Locations

In front of Jarvis Square, near Clock Tower, King Street East
Northeast corner Ferguson Avenue and King Street East
Southeast corner Catharine and King Street East
Southwest corner John and King Street East
Southwest corner James Street and King Street West (2 vendors)
Stelco Tower (north side King Street West) (2 vendors)
City Hall forecourt
Courthouse (between Hughson and John Street South) (2 vendors)
Victoria Avenue North and Barton Street East northwest corner
James Street North and Wilson northeast corner
James Street South and King Street southeast corner (Royal Bank)
Forest Avenue and James Street South southeast corner
Mountain Park Avenue (along the brow behind Henderson Hospital)

Park Locations

Gage
Dundurn
Gore - (no food or beverage carts)
Pier 4 (2 vendors)
Harbourfront (2 vendors)

* Note vending locations include all prior locations from previous tender call. However, two locations at the Standard Life Building were removed because of conflicts with merchants in Jackson Square. Gage Park is a new location in parks.

SCHEDULE C

EVALUATION CRITERIA

1. Quality of Proposal

   - completeness of Proposal Form;
   - professionalism; and
   - complies with submission instructions.

2. The fee for right to sell at site.

3. Capacity to perform

   - financial capacity;
   - related experience;
   - knowledge of local market conditions;
   - ability to comply with City Insurance Standards and all licences and permits;
   - appropriateness of the goods proposed to be sold in relationship to adjacent businesses or other street vendors; and
   - bidder's proposal (goods or food to be sold) does not conflict with adjacent businesses within 300 feet.

4. Location Standards

   - bidder's consideration to public safety, vehicular safety and commercial ambience of the street; and
   - creation of a map designating proposed vending location within selected site.

5. - types of goods sold and suggested prices.

6. Operational Plan

   - proposed daily service hours.

7. Uniform Cart Designs

   - ability to meet specifications and guidelines for cart designs;
   - attractive to street;
   - colourful;
   - imaginative;
   - durable;
   - readily movable by Vendor;
   - food cart complies with all health regulations for products proposed for sale; and
   - photograph and/or conceptual drawing of the cart.

4.

REVISED

CONSENT AGENDA

FINANCE AND ADMINISTRATION COMMITTEE
TUESDAY, 1995 APRIL 4TH

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

Minutes of the regular meeting held on Tuesday, 1995 March 21st

B. CITY CLERK

(i) Display of Artifacts from turn-of-the-century Cathedral Park Landfill Site - Second Floor Foyer - (West End), City Hall

(ii) Use of City Hall Forecourt - Hamilton-Wentworth Regional Cycling Committee

(iii) Use of the City Hall Parking Lot - Cathedral Hgh School (Boys) Basketball Tournament

(iv) Use of City Hall forecourt - "People in Partnership '95" - Kick-Off Ceremony and Walk-a-thon - 1995 Sunday, June 11

(v) Use of the Second Floor Foyer - Fundraiser - Juvenile Diabetes Foundation of Canada - 1995 Friday June 23rd

(vi) Use of City Hall Council Chambers - Lawfield Minor Hockey - Wednesday, 1995 March 22

C. DIRECTOR OF PROPERTY

Contract Award - Window Cleaning

D. TASK FORCE TO REVIEW LOCAL LABOUR CONTENT IN CONTRACTS

Request for a two month extension

E. CITY SOLICITOR

(i) Quit Claim - rear of 499 John Street North

(ii) Debenture By-law - Capital Projects - 1994

F. DIRECTOR OF PUBLIC WORKS

(i) Purchase of Six (6) Mid-Size Passenger Sedans, City Garage

(ii) Purchase of Twenty-one (21) Compact Cars, City Garage

(iii) Purchase of Three (3) Compact Pick-up Trucks, City Garage

(iv) Purchase of Seven (7) Mid-Size Passenger Sedans, City Garage

G. TREASURER

Funding - Construction of Independent Concrete Sidewalks on Stone Church Road between Upper Gage Avenue and Upper Wentworth Street

H. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE

Information Items

Tuesday, 1995 March 21
1:30 o'clock p.m.
Room 233, City Hall

The Finance and Administration Committee met.

A.

There were present: Alderman B. Charters, Chairman
Alderman D. Ross, Vice-Chairman
Alderman M. Kiss
Alderman V. Agro
Alderman D. Drury
Alderman D. Wilson
Alderman D. Agostino
Alderman T. Anderson

Absent with Regrets: Mayor Robert M. Morrow - City Business

Also present: Alderman M. Caplan
Alderman H. Merling
Mr. J. G. Pavelka, Chief Administrative Officer
Ms. P. Noé Johnson, City Solicitor
Mr. L. King. Building Commissioner
Mr. J. Johnston, Commissioner of Human Resources
Mr. A. Ross, City Treasurer
Mr. D. Vyce, Director, Property Department
Mr. D. Carson, Mayor's Office
Mr. J. Schatz, City Clerk
Mr. K. C. Christenson, Acting Secretary

A G E N D A

1. IN CAMERA AGENDA

The Committee agreed to move In-Camera to discuss matters of a Private and Confidential nature. Following the In-Camera Session, the Committee reconveyed in Open Session and the Committee approved the following:

ADDED - Amendment to Extension Agreement for Payment of Tax Arrears - 39 Mary Street

(a) That Section 3 of the Second Report for 1995 of the Finance and Administration Committee and By-law 94-159, subsequently amended by By-Law 95-23, adopted by City Council on 1995 January 10, authorizing an agreement to extend the time open for the payment of tax arrears for property at 39 Mary Street upon specified terms, be amended to include the following:

(i) The required monthly realty tax arrears instalment payment, due 1995 March 22 be deferred for that one time period and defrayed over the approved repayment period ending on or before 1995 December 22.

(b) That staff be authorized and directed to negotiate with the owners of 39 Mary Street, a suitable repayment schedule in order that all Realty and Business Current Year Levies and Tax Arrears are paid in full on or before the approved deadline of 1995 December 22; and,

(c) That the City Solicitor be authorized to prepare the appropriate By-law to amend By-law 95-23 accordingly.

Note: This matter was presented to the Special Meeting of City Council held on 1995 March 23rd.

AA. CITY SOLICITOR AND DIRECTOR OF PUBLIC WORKS

(i) City of Hamilton -ats- Lapcevich; Ontario Court (General Division) Action No. 6594/94

(a) That the City resolve Ontario Court (General Division) Action No. 6594/94 by the payment to the Plaintiff, Mary Anne Lapcevich, of the sum of $3,291.18 inclusive of all claims for damages, interest and costs; and,

(b) That the Plaintiff be required to issue a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action No. 6594/94 be dismissed without costs.

(ii) City of Hamilton and McKinney -v- Johnstone and McCoy Foundry Ltd.; Ontario Court (General Division) Action No. 19876/90

(a) That the City Offer to Settle Ontario Court (General Division) Action No. 19876/90 on the following terms:

(i) That if this Offer to Settle is accepted within sixty (60) days of its date the Plaintiff will accept from the Defendants $32,000. inclusive of all claims for damages, interest, costs and disbursements in full settlement of the claim; and,

(ii) That if this Offer to Settle is accepted after sixty (60) days from its date the Plaintiffs will receive from the Defendants:

(1) General damages in the amount of $7,500.; and,

(2) Special damages in the amount of $11,776.40; and,

(3) Pre-Judgment interest on the above amounts in accordance with the provisions of the Courts of Justice Act; and,

(4) Their Party/Party costs to the date of the Offer and their Solicitor/Client costs from the date of the Offer to the date of acceptance, such costs to be agreed between the parties or assessed; and,

(5) Their taxable disbursements of this action, such disbursements to be agreed between the parties or assessed; and,

(iii) This Offer remains open for acceptance until the commencement of trial, or until withdrawn whichever first occurs; and,

(b) That the City decline the Defendants offer to settle this action for $20,000. inclusive of all claims for damages, interest and costs.

(iii) City of Hamilton -ats- Ellen Reinke; Ontario Court (General Division) Action No. 7677/94

(a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 7677/94 by the payment to the Plaintiff, Ellen Reinke, of the sum of $3,000. inclusive of all claims for damages, interest and costs; and,

(b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action No. 7677/94 be dismissed without costs.

2. CONSENT AGENDA

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

The Committee was in receipt of the minutes of its regular meeting held Tuesday, 1995 March 7, and a special meeting held on Thursday, 1995 March 9 and approved these minutes as circulated.

B. CITY CLERK - Use of City facilities - Demonstration - 1995 March 8 - Women's Centre of Hamilton-Wentworth

The Committee was in receipt of a report from the City Clerk dated 1995 March 6, respecting the above noted matter and approved the following:

That approval be given to the actions taken by the City Clerk in authorizing the Women's Centre of Hamilton-Wentworth to use the City Hall forecourt and the property located on the far north/east side (closest to the Unified Family Court), for a brief demonstration in support of a local woman in her quest to protest a court order.

C. COMMISSIONER OF HUMAN RESOURCES - Appointments To and Terminations from Permanent Positions

The Committee was in receipt of a report from the Commissioner of Human Resources dated 1995 March 6, respecting the above noted matter and approved the following:

That the listing of Appointments To and Terminations from Permanent Positions with the Corporation of the City of Hamilton to 1995 March 10, attached herewith and marked Appendix "A", be approved.

D. DIRECTOR OF PUBLIC WORKS - Replacement of Two (2) Self-Contained 15 Ft. Rotary Mowers, Fleet Services

The Committee was in receipt of a report from the Director of Public Works dated 1995 March 7, respecting the above noted matter.

The Committee approved the following:

That a purchase order be issued to Turf Care Products, Newmarket, in the amount of $135,701., including all applicable taxes and trade-in, for the replacement of two (2) Units #0102, 9527 for Fleet Services, being the lowest acceptable of two tenders received in accordance with specifications issued by Purchasing and Vendor's Tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X503 00101.

E. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE - Information Items

The Committee was in receipt of a report from the Secretary of the Finance and Administration Committee, respecting the above noted matter and approved the following:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Minutes - VE Day Celebrations Committee - meeting held 1995 January 18

(b) Minutes - Keep Hamilton Clean Committee - meeting held 1995 February 1

(c) Minutes - VE Day Celebrations Committee - meeting held 1995 February 15

3. MAYOR ROBERT M. MORROW

(a) City of Hamilton contribution to the "Good Neighbours' Guide" published by McMaster University in conjunction with the City of Hamilton

The Committee was in receipt of a report dated 1995 March 3, from Mayor Robert M. Morrow, respecting the subject matter.

Following brief consideration, the Committee **defeated** the following recommendation:

That the City of Hamilton contribute $1,000. towards the publishing of "The Good Neighbours' Guide" which was recently distributed to 8300 University Neighbours as a project of the President's Advisory Committee on Community Relations.

(b) International Great Lakes St. Lawrence Mayors' Conference - Hamilton 1995 June

The Committee agreed that as the Mayor was not present at the meeting, that this issue **be referred** to the Committee of the Whole meeting scheduled for 1995 March 23.

4. DEVELOPMENT CHARGES SUB-COMMITTEE

(a) Development Charges By-law

The Committee was in receipt of a report distributed at the meeting dated 1995 March 20, from the Chairman of the Development Charges Staff Sub-Committee respecting the subject matter.

Following brief discussion the Committee approved that the following recommendation **be referred** to the special Council meeting scheduled for 1995 March 23:

(a) That Development Charges be imposed on land under development or redevelopment within the geographical limits of the City of Hamilton; and,

(b) That the appropriate By-law be enacted and continue in force and effect for a term not to exceed six months.

(b) Submission - The Hamilton Harbour Commissioners - Proposed Interim Development Charges By-law

The Committee was in receipt of correspondence dated 1995 March 13, from the Port Planner, Hamilton Harbour Commissioners, respecting the subject matter. Following brief discussion the Committee approved that the Item **be received.**

(c) Request for additional funds to offset increased costs for consulting services for the Development Charges Study

The Committee was in receipt of a report dated 1995 March 13, from the Chairman of the Development Charges Staff Sub-Committee, respecting the subject matter. Following brief discussion, the Committee approved the following recommendation:

That an additional upset limit of $20,000. for consulting services for the Development Charges Study be allocated from Account CH55406-24101 Fees-Consultants as provided for in the draft 1995 Current Budget.

5. CHIEF ADMINISTRATIVE OFFICER

(a) Volunteer Centre of Hamilton and District Indoor Golf Tournament

The Committee was in receipt of a report dated 1995 March 9 from the Chief Administrative Officer, respecting the subject matter.

The Committee approved the following recommendation:

(a) That the City of Hamilton annually participate in the Volunteer Centre of Hamilton and District's Indoor Golf Tournament; and,

(b) That the City of Hamilton annually budget the fee, presently $150. to enter a Corporate Team to participate in the event; and,

(c) That the City of Hamilton recognize its employees who had perfect attendance records throughout the previous year by randomly selecting four people to form the Corporate Team and to represent the City of Hamilton at this event.

(b) Hamilton Corporate Challenge

The Committee was in receipt of a report dated 1995 March 17 from the Chief Administrative Officer, respecting the subject matter. Following brief discussion, the Committee approved the following recommendation:

(a) That in keeping with a zero percent increase, that an amount of $2,625.80 be approved for the Hamilton Corporate Challenge to be used towards the cost of entering and sponsoring two (2) teams of Civic employees taking part in the Hamilton Corporate Challenge being organized by the Hamilton and District Chamber of Commerce on Sunday, 1995 June 11 at Christie Conservation Area; and,

(b) That funding for this expenditure be financed from the Unclassified Account.

(c) Civic Reception - Hamilton International Air Show

The Committee was in receipt of a report dated 1995 March 17, from the Chief Administrative Officer respecting the subject matter. Following brief discussion, the Committee agreed **to table** the matter until the next regular meeting of the Finance and Administration Committee.

6. DIRECTOR OF PROPERTY

(a) Contract - Sir Allan MacNab Recreation Centre Building Envelope Rehabilitation

The Committee was in receipt of a report dated 1995 March 10, from the Director of Property respecting the subject matter. Following brief discussion, the Committee approved the following recommendation:

(a) That a purchase order be issued to Bestco Construction Corporation in the amount of $104,776.54, inclusive of G.S.T. ($6,854.54), for the rehabilitation of the building envelope at Sir Allan MacNab Recreation Centre being the lowest of seven tenders received in accordance with specifications (REF: C14-1-95) issued by the Manager of Purchasing; and,

(b) That the Mayor and City Clerk be authorized to execute a contract in a form satisfactory to the City Solicitor.

(b) Lease of Mountain Composite Building, 775 Upper Wentworth Street, Hamilton Firefighters Drum Corps Inc.

The Committee was in receipt of a report dated 1995 March 10, from the Director of Property respecting the subject matter. Following brief discussion respecting the potential for noise complaints, the Committee approved the following amended recommendation:

(a) That the City of Hamilton enter into a lease with the Hamilton Firefighters Drum Corps Inc. respecting the use of the City owned building at 775 Upper Wentworth Street; and,

(b) That the term be for a period of four (4) months commencing 1995 April 1 and expiring 1995 July 31, at a rental rate of $200. per month due on the first (1st) day of each month and proceeds be credited to Account No. CH 44104 31106 (Rental Civic Property - Civic Properties Rented); and,

(c) That if the City receives any complaints about noise emanating from the Upper Wentworth Street Composite Building as a result of the occupancy by the Hamilton Firefighters Drum Corps Inc., termination of the tenancy shall be considered by the Finance and Administration Committee, followed if necessary with appropriate written notice and any rent received by the City in advance shall be pro-rated and returned to the tenant; and,

(d) That the Mayor and City Clerk be authorized and directed to execute the agreement in a form satisfactory to the City Solicitor.

7. **CITY CLERK - Request from the Hamilton Wentworth Stroke Recovery Association to purchase an advertisement**

The Committee was in receipt of a report dated 1995 March 14 from the City Clerk, respecting the subject matter. Following brief discussion, the Committee approved the following recommendation:

> That the City of Hamilton purchase a quarter page advertisement in the 1995 Fact and Information Book of the Hamilton-Wentworth Stroke Recovery Association at a cost of $250. with funds to be provided from Account No. CH 56302 12000 (Advertising and Promotion Account - City Clerk).

8. **ADJOURNMENT**

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Kevin C. Christenson
Acting Secretary
1995 March 21

/dbm

B. (i)

CITY OF HAMILTON

- RECOMMENDATION -

MAR 2 2 1995

DATE: 21 March 1995

REPORT TO: Susan K. Reeder, Secretary
Finance & Administration Committee

FROM: J.J. Schatz
City Clerk

SUBJECT: Display of Artifacts from Turn-of-the-Century Cathedral Park Landfill Site - Second Floor Foyer - (West End), City Hall

RECOMMENDATION:

That approval be given to the actions taken by the City Clerk in authorizing the Ontario Archaeological Society, Hamilton Chapter, to use the Second Floor Foyer (West End) for the display of artifacts recovered from the turn-of-the-century Cathedral Park Landfill Site, from 1995 Tuesday, March 21 until 1995 Tuesday, September 05.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Dr. William R. Fitzgerald, Wilfrid Laurier University, Archaeology Laboratory and member of the Hamilton Chapter of the Ontario Archaeological Society has requested the use of the Second Floor Foyer (West End) for display purposes of an archaeological exhibit from 1995 Tuesday, March 21 until 1995 Tuesday, September 05.

The exhibit consists of artifacts recovered from the turn-of-the-century Cathedral Park Landfill Site and will be of great interest to many area residents.

cc: Mayor's Office
Rob Swan, Manager of Building Operations & Maintenance

B. (ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 27 March 1995

REPORT TO: Susan K. Reeder, Secretary
Finance & Administration Committee

FROM: J.J. Schatz
City Clerk

SUBJECT: Hamilton-Wentworth Regional Cycling Committee
Use of City Hall Forecourt - 1995 Wednesday, May 17

RECOMMENDATIONS:

(a) That approval be given to the Hamilton-Wentworth Regional Cycling Committee for the use of the City Hall Forecourt on 1995 Wednesday, May 17 between the hours of 6:30 o'clock a.m. to 8:30 o'clock a.m. for the serving of breakfast to bicyclists in promotion of "Bike to Work Week"; and,

(b) That the City Clerk be granted authority to approve similar use in future years provided it does not interfere with any other activity.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The City Clerk is in receipt of a request from the Hamilton-Wentworth Regional Cycling Committee for the use of the City Hall Forecourt on 1995 Wednesday, May 17 from 6:30 o'clock a.m. until 8:30 o'clock a.m. for the purpose of serving a pancake breakfast to bicyclists in promotion of "Bike to Work Week".

The Committee expects to host approximately 200 participants.

cc: Mayor Morrow
Rob Swan, Manager of Building Operations & Maintenance
Information Desk

B. (iii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 23 March 1995

REPORT TO: Susan K. Reeder, Secretary
Finance & Administration Committee

FROM: J.J. Schatz
City Clerk

SUBJECT: Cathedral High School (Boys) Request for the Use of Facilities 1995 Sunday, July 23 - Basketball Tournament

RECOMMENDATIONS:

(a) That approval be given to Cathedral High School (Boys) for the use of the City Hall Parking Lot (East Side) on 1995 Sunday, July 23 between the hours of 8:00 o'clock a.m. to 4:00 o'clock p.m. for a Basketball Tournament (3 on 3), subject to the requirements of the Parking Authority; and,

(b) That the City Clerk be granted authority to approve similar use in future years provided it does not interfere with any other activity.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The City Clerk is in receipt of a request from Mr. Mark Walton, Cathedral High School (Boys) for the use of the City Hall Parking Lot (East Side) for a three-on-three Basketball Tournament to be held on 1995 Sunday, July 23 between the hours of 8:00 o'clock a.m. until 4:00 o'clock p.m.

Tournament organizers are requested to consult with Parking Authority officials to ensure that certain conditions are met (Parking Authority policy).

The organizers of the Tournament will provide and set up all necessary equipment and barricades. However, use of the first floor washrooms are required.

cc: Mayor's Office
Alderman Frank D'Amico
Guy Corsini, Parking Authority
Robert Swan, Manager of Building Operations & Maintenance
Information Desk
Weekend Dispatcher

B. (iv)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 24 March 1995

REPORT TO: Susan K. Reeder, Secretary
Finance & Administration Committee

FROM: J.J. Schatz
City Clerk

SUBJECT: "People in Partnership '95" - Kick-Off Ceremony & Walk-a-thon
Use of City Hall Forecourt - 1995 Sunday, June 11

RECOMMENDATIONS:

(a) That approval be given to United Disabled Consumers and the Good Shepherd Centres to use the City Hall Forecourt on 1995 Sunday, June 11 between the hours of 8:00 o'clock a.m. to 10:30 a.m. for a "Kick Off" ceremony and registration for "People in Partnership '95" walk-a-thon.

(b) That the City Clerk be granted authority to approve similar use in future years provided it does not interfere with any other activity.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in Account CH55222-10034 - Use of City Facilities by Outside Groups in the approximate amount of $90. for Property & Maintenance staff overtime associated with the event on Sunday, 1995 June 11.

BACKGROUND:

United Disabled Consumers and Good Shepherd Centres will be hosting "People in Partnership '95" Walk-a-Thon to benefit persons with disabilities, disadvantaged youth and persons of all ages and backgrounds in our community.

The route will begin at City Hall and conclude at Pier 4 Park where a community exhibition will take place featuring in-line roller skating and wheelchair competitions.

"People in Partnership '95" would like to "kick off" this event with a ceremony and registration in the City Hall Forecourt between the hours of 8:00 o'clock a.m. and 10:30 o'clock a.m. In conjunction with the ceremony and registration, a microphone, podium, 4 tables and 8 chairs are required for set up, as well as the use of the first floor washrooms.

cc: Mayor's Office
Rob Swan, Manager of Building Operations & Maintenance
Information Desk
Weekend Dispatcher

B. (v)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 27 March 1995

REPORT TO: Susan K. Reeder, Secretary
Finance & Administration Committee

FROM: J.J. Schatz
City Clerk

SUBJECT: Juvenile Diabetes Foundation of Canada
Use of the Second Floor Foyer - Fundraiser
1995 Friday, June 23rd

RECOMMENDATIONS:

(a) That approval be given to the Juvenile Diabetes Foundation of Canada to use the Second Floor Foyer for the set up of a Stationary Bike for a fundraising event on 1995 Friday, June 23rd between the hours of 8:30 o'clock a.m. to 4:30 o'clock p.m.; and,

(b) That the City Clerk be granted authority to approve similar use in future years provided it does not interfere with any other activity.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Mr. Jerry Mays, Board of Directors for the Burlington/Hamilton Chapter of the Juvenile Diabetes Foundation of Canada has requested the use of the Second Floor Foyer for the set up of a stationary bike in conjunction with the Delta/Perrier Drive for Diabetes.

The Juvenile Diabetes Foundation of Canada was founded in 1974 and has contributed over $24 million to diabetes research. More that 1.5 million Canadians have diabetes and of these over 150,000 has Type 1 or "juvenile diabetes", the most severe form of the disease.

To assist the Juvenile Diabetes Foundation in raising funds, the Delta/Perrier group has organized a "bike-a-thon" fundraising event which will be set up at approximately 18 different locations across Canada between May and June, 1995.

The proposed "bike-a-thon" consists of teams of four or individual participants who, after collecting pledges from family and friends, will ride the stationary bike for 10 minutes. The "bike-a-thon" will be held on 1995 Friday, June 23rd between the hours of 8:30 o'clock a.m. and 4:30 o'clock p.m., and will be incorporated with City Hall's "casual day".

cc: Mayor's Office
Mr. J. Pavelka, C.A.O.
Ms. S. Merlo-Orzel, Culture & Recreation Department
Mr. Rob Swan, Manager of Building Operations & Maintenance
Information Desk

B. (vi)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 28 March 1995

REPORT TO: Susan K. Reeder, Secretary
Finance & Administration Committee

FROM: J.J. Schatz
City Clerk

SUBJECT: Lawfield Minor Hockey - Use of City Council Chambers
1995 Wednesday, March 22 - 7:00 o'clock p.m. to 9:00 o'clock p.m.

RECOMMENDATION:

That approval be given to the action taken by the City Clerk in authorizing Lawfield Minor Hockey to use the City Council Chambers on 1995 Wednesday, March 22 between the hours of 7:00 o'clock p.m. to 9:00 o'clock p.m. for a meeting.

FINANCIAL/STAFFING LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Mr. Greg Maychak, Program Coordinator with the Culture and Recreation Department requested, on behalf of Lawfield Minor Hockey, permission to use the City Council Chambers to conduct an important meeting at which approximately 50 people were expected to attend. Unfortunately, the Lawfield Arena Meeting Room was not available on such short notice and because of the number of people expected, the City Council Chambers seemed a viable alternative.

cc: Mayor's Office
Mr. Greg Maychak, Program Coordinator, Culture & Recreation
Mr. Rob Swan, Manager of Building Operations & Maintenance

CITY OF HAMILTON

- RECOMMENDATION -

C.

DATE: 1995 March 20

MAR 22 1995

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Contract Award - Window Cleaning

RECOMMENDATION:

That the City exercise its option and issue a purchase order to A-Skylight Window Cleaning Company (1988) Ltd., Hamilton in the amount of $13,561.68 plus ($949.32) G.S.T. to clean the interior and exterior windows of City Hall, the City Hall Garage, the Football Hall of Fame, and the exterior marble at City Hall during 1995, this being the lowest tender received in accordance with the specifications issued by the Manager of Purchasing.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

These expenditures will be financed through various approved Window Cleaning accounts within the Property Department's 1995 Operating Budget.

BACKGROUND:

City Council approved of Item (2) of the FOURTEENTH Report submitted by the Finance and Administration Committee on 1992 June 30 which recommended issuing a purchase order to A-Skylight Window Cleaning Company (1988) Limited in the amount of $93,000 to clean windows in 1992, 1993, 1994 with an option in favour of the City to extend for three additional one year terms at a 3% per year escalation as per the tender specification.

Subsequent to the 1992 June 30 approval and during the 1993 Budget process, City Council approved of a reduction package submitted by the Property Department to reduce the 1993 Window Cleaning allocation through a reduction in the frequency that the windows and marble at City Hall were cleaned. Any discrepancy in the annual costs noted above is as a result of accepting the reduction package referred to .

DWV/rd

cc. P. Noé Johnson, City Solicitor, Law Department
A. Ross, City Treasurer, Treasury Department
G. Di Bacco, Supervisor, City Hall Garage
R. Swan, Manager of Building Operations & Maintenance
L. Ames, Office Manager, Building Operations & Maintenance

Forwarded copy to Susan Reeder, Secretary
Finance & Administration Committee
March 27, 1995

MAR 21 1995

CITY COUNCIL
HAMILTON, CANADA

Alderman Don Drury

71 MAIN STREET WEST L8N 3T4 • (416) 546-2730 • RES. (416) 545-7077 - WARD 3

1995 March 20

D.

Alderman Bob Charters
Chairman
Finance and Administration Committee

Dear Bob:

Re: Task Force to review Local Labour Content in Contracts

Please note that we were scheduled to report back by April 18, 1995 to the Finance and Administration Committee. We are asking for a 2 month extension as I believe the matter will take much longer to resolve.

I would be most appreciative if you would bring this matter to the attention of your committee and request the extension.

Humbly submitted,

Don Drury
Alderman, Ward 3

DD:jc

OFFICE OF THE CITY CLERK

MEMORANDUM

TO:	Alderman D. Drury Alderman H. Merling Alderman D. Wilson	YOUR FILE:	
FROM:	Susan K. Reeder, Secretary Finance and Administration Committee	OUR FILE: PHONE:	546-2753
SUBJECT:	Task Force to review Local Labour Content in Contracts	DATE:	1995 February 27

This will confirm that the Finance and Administration Committee, at its meeting held Tuesday, 1995 February 21st approved the following:

(a) That a Task Force consisting of Alderman D. Drury as Chairman, and Alderman H. Merling and Alderman D. Wilson be established to review the Local labour content in Contracts; and,

(b) That this Task Force report back to the Finance and Administration Committee in two months time (1995 April 18th meeting).

Please let me know if there is anything I can do to assist you in this regard.

SKR

cc Alderman B. Charters, Chairman, Finance and Administration Committee

E. (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 March 27

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: P. Noé Johnson
City Solicitor

SUBJECT: Quit Claim - rear of 499 John Street North

RECOMMENDATION:

That the City quit claim and release a parcel of land measuring about 2 feet by 26 feet (Part 6, Plan 62R-8773) at the rear of 499 John Street North to George and Nancy Sterling, the current owners of 499 John Street North.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

As this quit claim is to clarify title to private land, it is not subject to the surplus, notice to public or appraisal requirements of Real Estate Sales Procedural By-law 95-049.

BACKGROUND:

In 1966, the City acquired a vacant lot known as 53 Wood Street East which included in its legal description, the above noted small sliver of land at the rear of an adjacent property known as 499 John Street North. In 1987 when the City sold the 58 Wood Street East, this small sliver of land was not included in the sale deed because it had in fact been owned and occupied since 1930 by the owners of the adjacent 499 John Street North.

The owners of 499 John Street North have requested the quit claim (recommended above) to confirm that the City has no interest in the small rear parcel of land. This quit claim has been reviewed with the Director of Property, who supports this recommendation.

PNJ/DAP:bd

c.c. D. W. Vyce, Director of Property

E. (ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 March 30

REPORT TO: S. Hollowell, Secretary
Committee of the Whole

FROM: P. Noé Johnson
City Solicitor

SUBJECT: **Debenture By-law - Capital Projects - 1994**

RECOMMENDATION:

That the attached By-law be enacted by City Council.

P. Noé Johnson

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

On March 9, 1995, City Council in adopting the Report of the Committee of the Whole approved the 1995 Capital Budget and further authorized the City Solicitor to prepare the appropriate by-laws for those projects requiring debenture financing for approval of City Council.

LEF:as

c.c. A. Ross, Treasurer
Attention: N. Adhya

The Corporation of the City of Hamilton

BY-LAW NO. 95-

To Authorize

1995 DEBENTURE PROJECTS AND AMOUNTS

WHEREAS Section 147 of the Municipal Act, R.S.O. 1990, Chapter M.45 authorizes a municipality to incur debts for the purposes of the municipality;

WHEREAS Ontario Regulation 710/92 enacted under the authority of the Municipal Act, R.S.O. 1990, Chapter M.45, establishes a limit for a municipality's debt obligations which do not require the approval of the Ontario Municipal Board;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting the Report of the Committee of the Whole at its meeting held on March 9, 1995 authorized the projects appearing in Schedule "A" to this By-law;

AND WHEREAS the Trigeneration Project was approved at a gross cost of $6,064,500.00 and a debenture cost of $2,021,500.00 in 1994;

AND WHEREAS it is intended to increase the debenture cost of the Trigeneration Project to $3,685,500.00;

AND WHEREAS the financial commitments, liabilities and debt charges of the project listed in Schedule "A" and The Corporation of the City of Hamilton's other debts and debt charges will not exceed the City's debt limit as specified by the Municipal Act and Regulation 710/92;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. The projects listed in Schedule "A" attach to and are part of this By-law and are hereby approved.

2. The City Treasurer is authorized to arrange the issuance of the necessary debentures to a maximum of $9,692,000.00 for a term not to exceed twenty years by The Regional Municipality of Hamilton-Wentworth and chargeable to the City.

3. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to this By-law.

PASSED this day of , 1995.

CITY CLERK MAYOR

(1995) R.C.W. March 9

SCHEDULE "A" TO BY-LAW NO. 95-___

	Project	Gross Cost	Subsidy Receipts	Capital Levy Financing	Net Debenture Authorization
9A	Trigeneration (C.U.P.) Infrastructure - Increased Costs	$ 1,664,000	$ -	$ -	$ 1,664,000
9	Major Maintenance to Civic Buildings	1,064,000	-	63,000	1,001,000
12	City Hall - Roof Replacement	318,000	-	-	318,000
85.0	Roadway and Sidewalk Reconstruction Program - Local Roads - Phase I	7,225,000	1,806,000	-	5,419,000
85.1	Roadway and Sidewalk Reconstruction Program - Local Roads - Phase II	1,300,000	325,000	-	975,000
141.0	Gore Park Walkway Restoration	315,000	-	-	315,000
		$11,886,000	$ 2,131,000	$ 63,000	$ 9,692,000

F. Ci

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 March 27

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. Doug Lobo
Director of Public Works

SUBJECT: Purchase of Six (6) Mid-Size Passenger Sedans, City Garage

RECOMMENDATION:

That a purchase order be issued to Weiland Ford Sales, Kitchener, in the amount of $129,540.60, all applicable taxes included, for the purchase of Six (6) Mid-Size Passenger Sedans for City Garage, being the lowest of seven tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X501 00101.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

This vehicle acquisition is for the replacement of existing vehicles through the City Garage vehicle replacement programme 1995, as approved by City Council on January 31, 1995. The capital acquisition costs are carried within the Reserve for Mobile Equipment Account.

BACKGROUND:

Tender Analysis

Wieland Ford Sales, Kitchener	$129,540.60
Bay King Motors, Hamilton	130,051.25
Eastgate Ford Sales, Hamilton	130,791.20
Robert Slessor Motors, Grimsby	133,549.50
Hamilton Motor Sales, Hamilton	134,487.90
Taylor Crysler Dodge, Hamilton	137,268.60
Johnston Motor Sales, Hamilton	137,503.20

This tender was advertised and seven (7) suppliers requested to bid.

These vehicle will replace existing vehicles rendered obsolete by the criteria established within the vehicle replacement program. The existing vehicles will be sold at a future auction.

GDB

cc: C. Guthro, Manager of Fleet Services
J. Avery, Assistant to Manager - Purchasing
G. Di Bacco, City Garage Supervisor
L. Barker, Administrative Co-ordinator

F. (ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 March 27

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. Doug Lobo
Director of Public Works

SUBJECT: Purchase of Twenty-one (21) Compact Cars, City Garage

RECOMMENDATION:

That a purchase order be issued to Queenston Chev Olds, Hamilton, in the amount of $313,153.05, all applicable taxes included, for the purchase of Twenty-one (21) Compact Cars for City Garage, being the lowest of seven tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X501 00101.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

This vehicle acquisition is for the replacement of existing vehicles through the City Garage vehicle replacement programme 1995, as approved by City Council on January 31, 1995. The capital acquisition costs are carried within the Reserve for Mobile Equipment Account.

BACKGROUND:

Tender Analysis

Queenston Chev Olds, Hamilton	$313,153.05
Nethercott Chev Olds, Hamilton	313,950.00
Hamilton Motor Products, Hamilton	324,914.10
Bay King Motors, Hamilton	329,937.30
Johnston Motor Sales, Hamilton	336,457.80
Eastgate Ford Sales, Hamilton	396,567.15
Wieland Ford Sales, Hamilton	411,829.95

This tender was advertised and seven (7) suppliers requested to bid.

These vehicle will replace existing vehicles rendered obsolete by the criteria established within the vehicle replacement program. The existing vehicles will be sold at a future auction.

GDB

cc: C. Guthro, Manager of Fleet Services
J. Avery, Assistant to Manager - Purchasing
G. Di Bacco, City Garage Supervisor
L. Barker, Administrative Co-ordinator

F. (iii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 March 27

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. Doug Lobo
Director of Public Works

SUBJECT: Purchase of Three (3) Compact Pick-up Trucks, City Garage

RECOMMENDATION:

That a purchase order be issued to Weiland Ford Sales, Kitchener, in the amount of $58,839.75, all applicable taxes included, for the purchase of Three (3) Compact Pick-up Trucks for City Garage, being the lowest of eleven tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X501 00101.

D. Lobo

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

This vehicle acquisition is for the replacement of existing vehicles through the City Garage vehicle replacement programme 1995, as approved by City Council on January 31, 1995. The capital acquisition costs are carried within the Reserve for Mobile Equipment Account.

BACKGROUND:

Tender Analysis

Wieland Ford Sales, Kitchener	$58,839.75
Nethercott Chev Olds, Hamilton	60,337.05
Hamilton Motor Products, Hamilton	61,227.15
Robert Slessor Motors, Grimsby	61,441.05
Queenston Chev Olds, Hamilton	61,692.90

Tender Analysis (Cont'd...)

Eastgate Ford Sales, Hamilton	$63,752.55
Johnston Motor Sales, Hamilton	63,818.10
Bay King Motors, Hamilton	66,598.80
Northway Mercury Sales, Brantford	68,830.95
Northway Mercury Sales, Brantford	71,135.55
Taylor Crysler Dodge, Hamilton	71,677.20

This tender was advertised and ten (10) suppliers requested to bid.

These vehicle will replace existing vehicles rendered obsolete by the criteria established within the vehicle replacement program. The existing vehicles will be sold at a future auction.

GDB

cc: C. Guthro, Manager of Fleet Services
J. Avery, Assistant to Manager - Purchasing
G. Di Bacco, City Garage Supervisor
L. Barker, Administrative Co-ordinator

F. (iv)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 March 27

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. Doug Lobo
Director of Public Works

SUBJECT: Purchase of Seven (7) Mid-Size Passenger Sedans, City Garage

RECOMMENDATION:

That a purchase order be issued to Weiland Ford Sales, Kitchener, in the amount of $144,135.23, all applicable taxes included, for the purchase of Seven (7) Mid-Size Passenger Sedans for City Garage, being the lowest of seven tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X501 00101.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

This vehicle acquisition is for the replacement of existing vehicles through the City Garage vehicle replacement programme 1995, as approved by City Council on January 31, 1995. The capital acquisition costs are carried within the Reserve for Mobile Equipment Account.

BACKGROUND:

Tender Analysis

Wieland Ford Sales, Kitchener	$144,135.23
Eastgate Ford Sales, Hamilton	146,157.55
Bay King Motors, Hamilton	147,830.20
Robert Slessor Motors, Grimsby	154,640.50
Johnston Motor Sales, Hamilton	155,268.40
Taylor Crysler Dodge, Hamilton	155,558.20
Hamilton Motor Sales, Hamilton	156,902.55

This tender was advertised and ten (10) suppliers requested to bid. Three were unable to bid for various reasons.

These vehicle will replace existing vehicles rendered obsolete by the criteria established within the vehicle replacement program. The existing vehicles will be sold at a future auction.

GDB

cc: C. Guthro, Manager of Fleet Services
J. Avery, Assistant to Manager - Purchasing
G. Di Bacco, City Garage Supervisor
L. Barker, Administrative Co-ordinator

CITY OF HAMILTON

- RECOMMENDATION -

G.

DATE: 1995 March 31

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

MAR 3 1 1995

FROM: Allan C. Ross
Treasurer

SUBJECT: Proposed Construction of an Independent Concrete Sidewalk on Stone Church Road between Upper Gage Avenue and Upper Wentworth Street

RECOMMENDATION:

That the City Solicitor be authorized to prepare an appropriate By-Law to construct an independent concrete sidewalk on the north side of Stone Church Road from Upper Gage Avenue to approximately 61 m west of Rambo Street (east limit of #749 Stone Church Road); from approximately 107 m west of Rambo Street to approximately 222 m west of Upper Sherman Avenue; from approximately 383 m west of Upper Sherman Avenue to approximately 26 m westerly (Hydro property) and on the south side of Stone Church Road from Upper Gage Avenue to approximately 83 m westerly (east limit of 41 Epic Place); from Leaway Avenue to Eleanor Avenue; and, from approximately 37 m west of Eleanor Avenue to approximately 30 m east of Ridgemount Drive under the Local Improvement Act at an estimated cost of $263,620. with a City's share of $41,528. to be financed from the 1995 Capital Levy (Account Centre No. CH 22002) and the balance of $222,092. being the Owner's share to be financed by the issuance of debentures for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of $222,092. for a term not to exceed 20 years for the above project.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The 1995 Capital Budget includes a provision for the City's share of Local Improvements in the gross amount of $650,000. with a Provincial subsidy of $163,000. and a balance of $487,000. to be financed from the 1995 Capital Levy. The City's Share of Local Improvements approved in 1995 including this recommendation, amounts to $41,528. The issuance of debenture for this project will not exceed the City's prescribed debt limit as outlined in the Municipal Act.

BACKGROUND:

This item is to be considered by the Transport and Environment Committee on 1995 April 3. The details of this project are outlined in the attached letter from D. Lobo, Director of Public Works, dated 1995 March 31.

NRA:jc
Att'd

c.c. K. Christenson, Secretary, Transport and Environment Committee
D. Lobo, Director of Public Works, Attention: R. Meiers
P. Noé Johnson, City Solicitor, Attention: S. Riley
J. Bruzzese, Acting Commissioner of Finance, Region
Doug Onishi, Director of Design & Construction, Roads Department, Region
V.J. Abraham, M.C.I.P., Director, Local Planning

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 March 23 MAR 2 9 1995

REPORT TO: Kevin Christenson
Secretary, Transport and Environment Committee

FROM: D. Lobo
Director of Public Works

SUBJECT: Construction of Independent Concrete Sidewalks on Stone Church Road Between Upper Gage Avenue and Upper Wentworth Street

RECOMMENDATION:

1. That the construction of an independent concrete sidewalk on the north side of Stone Church Road from Upper Gage Avenue to approximately 61 m west of Rambo Street (east limit of #749 Stone Church Road); from approximately 107 m west of Rambo Street to approximately 222 m west of Upper Sherman Avenue; from approximately 383 m west of Upper Sherman Avenue to approximately 26 m westerly (Hydro property) and on the south side of Stone Church Road from Upper Gage Avenue to approximately 83 m westerly (east limit of 41 Epic Place); from Leaway Avenue to Eleanor Avenue; and, from approximately 37 m west of Eleanor Avenue to approximately 30 m east of Ridgemount Drive proceed as a local improvement pursuant to Section 12 of the Local Improvement Act at an estimated gross cost of $263,620. with a City's Share of $43,844. and Owner's Share of $219,776. all as provided in the 1995 portion of the 1995 - 2004 Capital Budget; and,

2. That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,

3. That the Commissioner of Transportation/Environmental Services be authorized to construct these works on behalf of the City once all the necessary approvals have been received; and,

4. That the City Clerk and City Treasurer be directed to give the necessary notice of City Council's intention to undertake these works.

D. Lobo

FINANCIAL/IMPLICATIONS:

The proposed works are to be rated in accordance with the normal practice. Provision has been made for these works in the 1995 - 2004 Capital Budget. The estimated cost per metre for an independent concrete sidewalk is $115. If approved, the project will reduce the balances available in the City's Share to $606,156. and the Owner's Share to $510,224.

BACKGROUND:

The Region will be constructing a finished roadway with curbs on Stone Church Road between Upper Gage Avenue and Upper Wentworth Street in 1995. It would be expedient to construct the sidewalks on both sides where required in conjunction with the Regional works. The property owners will be required to pay the approved rate per metre or the actual cost, whichever is less.

RPM/jd

c.c. J. J. Schatz, City Clerk
P. Noé Johnson, City Solicitor
Attention: S. Riley
A. Ross, City Treasurer
Attention: N. Adhya
G. W. Lawson, Commissioner of Finance
V. J. Abraham, M.C.I.P., Director of Local Planning
S. Reeder, Secretary of Finance and Administration Committee
D. Y. Onishi, Director of Design and Construction, Roads Department
R. Lane, Property Department

H.

CITY OF HAMILTON

-RECOMMENDATION-

DATE: 1995 March 31

REPORT TO: Alderman B. Charters, Chairman & Members,
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary,
Finance and Administration Committee

SUBJECT: **Information Items**

RECOMMENDATION:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Correspondence - Kim Zwep, 7 Norma Crescent, Ancaster - display of adult videos in variety stores

(b) Correspondence - Renate Manthei, Director, Women's Centre of Hamilton-Wentworth - display of adult videos in variety stores

(c) Correspondence - Shari Fluit, 298 Southcote Road, Ancaster - display of adult videos in variety stores

(d) Correspondence - Tammy Koens, 6380 Airport Road East, Mount Hope - display of adult videos in variety stores

(e) Correspondence - Curtis Visser, 129 Lloyminn Avenue, Ancaster - display of adult videos in variety stores

(f) Correspondence - Jennifer Lise, 149 McClung Road, Caledonia - display of videos in variety stores

(g) Information Report- Treasurer - Status of Hosting, Receptions and Related Accounts as at 1994 December 31

(h) Information Report - Treasurer - Status of Unclassified Revenue and Expenditures as at 1994 December 31

Susan K. Reader.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The above-noted documents have been sent out to members of the Committee and the applicable staff for information purposes, and are being formally presented to the Committee in order to be officially received. Approval of this recommendation to receive these documents will ensure that the circulation procedure followed for these matters is recorded.

ROBERT M. MORROW
MAYOR

Mayor's Office
Hamilton

5.

March 20th, 1995

MEMO TO: Susan Reader, Secretary
Finance and Administration Committee

FROM: Robert M. Morrow

SUBJECT: FEDERATION OF CANADIAN MUNICIPALITIES NATIONAL PACKAGING PROTOCOL (NAPP)

RECOMMENDATION: That the Council of the City of Hamilton endorse the FCM National Packaging Protocol (NAPP) programme by supporting the attached Resolution and forwarding it to the Federal Minister of the Environment.

BACKGROUND: For your information, a letter of March 1st, 1995 from D. Laurence Mawhinney, President of Federation of Canadian Municipalities, and a Resolution entitled "National Packaging Protocol" and a "Fact Sheet: The Importance of Packaging Waste".

RMM/DC/pb.

Attach.

HAMILTON

City Hall
71 Main Street West, Hamilton, Ontario Canada L8N 3T4
Telephone: (905) 546-2790
Fax: (905) 546-3915 546-2448 (TDD Only)

Federation of Canadian Municipalities
Fédération canadienne des municipalités

MAR 18 1995

March 1, 1995

His Worship Mayor Robert Morrow and Members of Council
City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Mayor Morrow and Members of Council:

Mayor D. Laurence Mawhinney
Lunenburg, Nova Scotia
President
Président

Mayor John Les
Chilliwack, British Columbia
First Vice President
Premier vice-président

Councillor Bryon Wilfert
Richmond Hill, Ontario
Second Vice President
Deuxième vice-président

Maire suppléant Claude Cantin
Québec (Québec)
Troisième vice-président
Third Vice President

Alderman Ron Hayter
Edmonton, Alberta
Past President
Président sortant

James W. Knight
Executive Director
Directeur général

Termination of Support
for the National Packaging Protocol (NAPP)

Environment Canada recently advised FCM that as a result of changed priorities, support for the National Packaging Protocol (NAPP) will be discontinued by Environment Canada. I am writing to ask you to urge the Minister of the Environment to maintain federal leadership in this area.

In 1989, FCM was successful in raising the profile of the landfill crisis in Canada, and was a catalyst in causing the federal government to set national targets for packaging waste reduction. The resulting National Packaging Protocol was endorsed by all Provinces/Territories and the federal government. Policies and targets for voluntary measures to reduce packaging waste were agreed upon. FCM has been a key player in the implementation effort from the beginning.

Through NAPP, we have achieved a 21% reduction in packaging waste since 1990. Industry has surpassed its first target of 20%. The Protocol states that should subsequent targets (35% by 1996 and 50% by 2000) not be met through current voluntary measures, governments will regulate the packaging industry.

.../2

24, rue Clarence Street, Ottawa, Ontario K1N 5P3
Telephone/Téléphone: (613) 241-5221 • Fax/Télécopieur: (613) 241-7440
International Office/Bureau international:
Telephone/Téléphone: (613) 241-8484 • Fax/Télécopieur: (613) 241-7117

A concerted effort is required to reduce the tremendous cost of solid waste disposal borne by Canada's municipal governments. FCM surveys confirm that waste reduction is a critical issue with our members. Because packaged products are shipped across Canada, without Federal leadership and national standards, other jurisdictions acting alone will achieve little.

By sending a letter and a Council resolution to Minister Copps and your Member of Parliament, you will help Federal leaders understand the importance of packaging waste reduction.

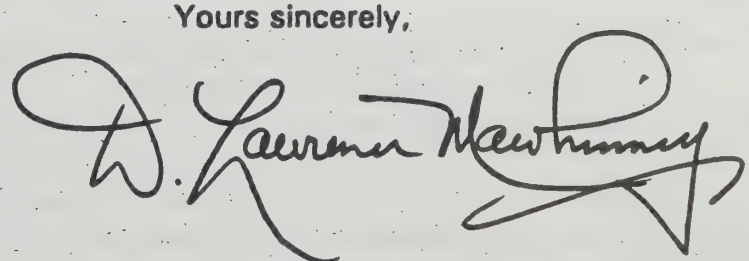
Attached is a model resolution for your Council's approval. **I ask that you forward the resolution with an appropriate covering letter to Minister Copps.** Please fax and mail your letter or resolution to Minister Copps at (613) 953-3457, and copy FCM at (613) 241-7440. Her address is:

The Honourable Sheila Copps, PC, MP
Minister of the Environment
House of Commons
Ottawa, Ontario
K1A 0A6

I expect to meet with the Minister in the near future to emphasize the importance of NAPP. Your resolutions or letters will help us to make FCM's position heard. As this is a time sensitive matter, your prompt action is required.

Thank you for your assistance.

Yours sincerely,



D. Laurence Mawhinney
President

LM/kt:sd
Attachment

NATIONAL PACKAGING PROTOCOL

WHEREAS Canada has a National Packaging Protocol designed to reduce packaging waste through voluntary measures and, if necessary, through regulation;

WHEREAS the Government of Canada is a signatory to the National Packaging Protocol (NAPP);

WHEREAS through NAPP, a 21% reduction in packaging waste was achieved through voluntary measures and governments, including municipal governments, and the private sector have already invested heavily in NAPP;

WHEREAS it is prudent to be in the forefront of environmental restrictions on packaging to ensure access to international markets;

WHEREAS Canada has the highest production of domestic waste per capita in the world and a disposal crisis threatens many areas of the country including all of Canada's big cities;

WHEREAS other countries have 50% less packaging waste than Canada and continue to reduce packaging waste;

WHEREAS concerted action through strong Federal leadership is required to address the complex and challenging waste management issues and to achieve a national strategy to reduce the amount of waste we produce in Canada;

WHEREAS NAPP was given the highest priority among environmental issues with the Federation of Canadian Municipalities (FCM);

BE IT RESOLVED that the Council of _____ urge the Federal Government to reaffirm its commitment to NAPP and the targets and policies of the Protocol;

BE IT FURTHER RESOLVED that the Council of _____ urge the Federal Government to recognize through NAPP the importance of environmentally friendly packaging for Canadian products and the Canadian economy.

FACT SHEET: THE IMPORTANCE OF PACKAGING WASTE

Packaging waste reduction is a significant problem for most municipal governments. For FCM, it has been an ongoing, high-priority issue. Consider the following:

- 71% of current municipal landfill capacity in Canada is now exhausted.
- Canada produces the most domestic waste per capita in the world.
- The 50% reduction called for by FCM and agreed upon in NAPP would lower Canada's packaging consumption to the level typical of Western European countries, including those with higher standards of living than Canada's.
- Half of the waste currently going to landfill sites could be diverted, resulting in huge savings in municipal costs.

NAPP HISTORY

- In 1988, FCM challenged leaders of the three major political parties to commit to Federal action to reduce the amount of packaging by 50% by the year 2000.
- Subsequently, the National Task Force on Packaging was created, and the National Packaging Protocol (NAPP) was signed by the Federal Government and all provincial/territorial governments.
- In 1991, FCM produced the Municipal Guide for the Promotion of Packaging Waste Reduction
- In 1992, FCM launched a Postcard Campaign and across-Canada kiosk tour to underline to consumers and industry the importance of packaging waste reduction.
- FCM conducted a municipal environmental survey on packaging waste reduction.
- In 1994 FCM produced the FCM Packaging Waste Reduction Guide, organized a Packaging Stewardship Workshop and produced a Packaging Newsletter.
- FCM submitted a brief to the Federal Government on the review of the Canadian Environmental Protection Act, including a request for obligatory deposit/refund systems.

FCM RESOLUTIONS ON PACKAGING WASTE AND RECYCLING

1989 **Packaging Waste Reduction**

To urge the Government of Canada to make a commitment to reduce the amount of packaging by at least 50% by the year 2000;

To call upon the Government of Canada to provide funding to undertake research to ascertain municipal waste management problems.

1989 **Recycling**

To urge the Government of Canada and provincial/territorial governments to give priority to the reduction of packaging and reuse of packaging, and only as a third choice, promote recycling.

To urge the Government of Canada to facilitate the development of adequate markets for recyclable goods and to encourage manufacturers to find methods to increase the use of recycled materials;

To urge the Government of Canada to develop warehousing to store or stockpile separated materials for recycling which would otherwise end up on the local dump;
To urge the Government of Canada to fund research into the development of recycling processes.

1990 **Recyclable Materials**

To urge the Government of Canada and provincial and territorial governments to enact appropriate legislation to require manufacturers and importers of products composed of paper,glass, plastic, metals and other materials to include a suitable percentage of post-consumer waste in the said products;

To urge the Government of Canada and provincial and territorial governments to enact policies and legislation whereby all public agencies should give preference to suppliers of goods and materials that include a suitable component of post-consumer waste in their products.

To urge provincial and territorial governments to enact deposit legislation for non-refillable containers and encourage those provinces that have deposit legislation to expand it to include additional containers.

1990 **Use of and Markets for Recycled Materials**

To urge the Government of Canada and provincial and territorial governments to develop programs and incentives to assist in determining markets for the recycled material, and to encourage and promote the use of recycled materials.

1990 **National Packaging Protocol**

To urge the Ministry of the Environment to implement the six Packaging Policies and the Milestone Targets put forward by NAPP.

1991 **Recycling**

To urge the Government of Canada to initiate legislation to promote recyclable materials through preferential purchasing policies and government legislation, making the reuse of a minimum percentage of recyclable materials such as glass, paper, plastics and metal in the production of new products mandatory by the appropriate industry.

To encourage FCM and its members to use 100% recycled paper for FCM requirements by 1993.

1991 **Recycling of Telephone Books**

To request the Federal Government to encourage all telephone companies to assume the full costs of collecting, handling and recycling their used telephone directories.

1991 **Recycling Logos**

To have FCM develop an information program to educate the public about the truthfulness of marketing which promotes recyclability of goods and packaging;

To have FCM work with other orders of governments to develop criteria and standards for the use of recycling logos and statements of recyclability in the marketing of products;

To have FCM encourage all governments to establish laws and enforcement mechanisms to ensure that these criteria and standards are adhered to.

1993 **Contribution of oil companies to the cost of disposal and recycling of petroleum products**

To urge the Government to institute regulations requiring oil companies to contribute to the cost of disposal and recycling of the petroleum products that they sell.

1993 **Excessive Packaging**

To request the Government of Canada and provincial and territorial governments to enact suitable legislation and/or policies to require manufacturers and distributors of goods and materials to reduce the amount of packaging used for their products (minimum contents).

To request the Government of Canada and provincial and territorial governments to enact policies and or legislation whereby all public agencies give preference to suppliers of goods and materials that used reduced packaging.

1994 **Recyclable Materials - Packaging and Containers**

To request the Government of Canada to study and legislate the composition or materials used in the manufacture of packaging and containers for consumer products in order to promote their recycling.

To request the Government of Canada to simplify the packaging of consumer products.

- RECOMMENDATION -

6.(a.)

DATE: 1995 March 28

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: Display of Adult Videos

RECOMMENDATION:

1. That City of Hamilton By-law No. 93-045, respecting the regulating and governing of adult videos, and for regulating video stores in which adult videos are provided, be amended to provide for the following:

   (a) i) A Class A Licence for persons being in the business of operating an adult video store;

   ii) A Class B Licence for persons operating a business where adult videos are 20% or less of the video stock offered for sale or rent;

   (b) the designated area within a Class B Licence to be equipped with a self closing full-length door;

   (c) all adult video covers or jackets, which contain specified body areas or specified sexual activities as defined in the By-law, to be covered by an opaque cover when being transported from the designated area of a Class B Licence to the cashier;

   (d) i) the number of adult videos, permitted as an incidental use in a Class B business, to be restricted to not more than 20% of the total number of regular videos available;

   ii) the Operators of all Class B outlets be required to keep on file a list and number of all videos available and a list and number of all adult videos available;

   (e) the fee for either class of adult video licence be $150.;

(f) reduction in the number of licences to four and removing two locations; and

(g) a hearing for the denial of a licence in accordance with Bill 198, a Provincial act to amend the Liquor Licence Act, the Municipal Act, the Regional Municipalities Act and certain other statutes related to upper tier municipalities.

2. that the City Solicitor be authorized to prepare the appropriate By-law to amend By-law 93-045, accordingly.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Currently, there are four businesses licensed as adult video parlours which generates $8,000. in licence fees. There are approximately 125 businesses offering adult videos as an incidental use. As proposed, the total revenue for 129 stores would be $19,350. Presently, the Licence Division is spending more for these administrative and enforcement, relative to adult videos, than it is collecting in fees. The Licence Division currently responds to complaints and carries out random checks, which will continue whether the premises are licensed or not.

BACKGROUND:

City Council, at its meeting held February 23, 1993, enacted By-Law 93-045 which provides for the licensing, regulating and governing of video stores in which adult videos are provided. Since its enactment the Licence Division has received 26 complainants that deal with convenience stores which offer adult videos for rent or sale.

Presently, the By-law requires that all adult videos must be displayed in a designated area, which cannot be viewed by the public outside of this area. An analysis of the complaints received and the inspections performed by the Licence Division has revealed that the main problem in the convenience stores is as a result of the lack of proper control to the designated area. This problem was also identified by the various church and school groups who attended the Finance & Administrative Meeting of March 7, 1995. Since there is no actual definition in the By-law of what type of barrier is to be provided, it currently ranges from a solid door to a curtain. As a result, at times, the curtain or door has been left open and in some instances, minors have had easy access to this restricted area without the knowledge and consent of the proprietor. In order to better control the access to these areas, it is recommended that the By-law be amended to require that all designated areas be equipped with a solid full length, self-closing door. This type of door would prevent accidental access and viewing of the videos by young children. It is our opinion of that a locked door is not necessary and would be too onerous a requirement on the owner.

A second area of concern is the explicit video jackets or covers on the adult videos. These jackets may be visible to other customers, especially children, at the check-out area. In order to reduce the chance of children viewing this material or offending a customer, it is recommended that the By-law be amended to require that all adult videos jackets or covers, which contain specified body areas or specified sexual acts as defined in the By-law, be transported from the designated area to the cashier in an opaque cover.

The City can only regulate adult video stores. It cannot prohibit the videos or businesses. When establishing a licence fee, it cannot be set to prohibit the business or with the intent or effect of discouraging vendors from continuing the business. The fee should be reasonable and justifiable, with consideration given to costs of enforcement and administration.

Currently, the By-law requires stores which offer only adult videos to obtain a $2,000. licence. It also restricts such licences to 6 businesses which will be reduced in number to a minimum of two as the licences are not renewed. Stores which offer adult videos as an incidental use to the sale of other family/type videos are not currently required to be licensed. We are recommending that a second class of licence be created for businesses offering adult videos as an incidental use.

The Licence Division is recommending a licence fee of $150. for stores which offer adult videos as an incidental use. It is also recommending reducing the $2,000.00 licence for adult only video stores to $150., but still maintain a separate class for adult video stores. This $150. license fee is based on the average administrative and enforcement costs for all licences, as indicated in a recent report, respecting user fees, prepared by David M. Griffith & Associates for the City of Hamilton.

Concerns have been expressed that, if the number of adult videos are not restricted for a Class B licence, it would be possible to operate this class of business similar to that of a Class A Licence. It is recommended that the number of adult videos, permitted as an incidental use, be restricted to not more than 20% of the total number of regular videos available for rent or sale. In a survey of other municipalities which regulate adult videos, only the City of Burlington has a 10% ratio of adult videos, permitted as an incidental use. Inspections of 20 businesses, located in the City of Hamilton, which offer adult videos as an incidental use to regular videos, have revealed that the number of adult videos was approximately 20 % of the total number of regular videos available. It would appear that this new requirement would not have an adverse effect on the existing number of adult videos being provided as an incidental use in these businesses.

Subject to the approval of the Finance and Administration Committee and City Council, we will submit an enforcement plan to the Licensing Committee, outlining the process to be followed when non-compliance with the By-law occurs. This process would involve a number of steps which include the issuance of an Orders to Comply, By-law charges, and a Hearing before the Licence Committee to suspend an operators licence for non-compliance.

Subject to the approval of these By-law amendments, we are recommending a 60 day compliance period for these new regulations. Letters will be sent to all convenience store operators to inform them of the By-Law changes and their responsibilities. Licence Inspectors

will also attend all locations to advise operators what changes are required for their designated area. A second follow-up inspection will occur to ensure compliance. It is estimated that approximately 300-400 inspections will be required. In addition to this compliance period, inspectors will continue to perform random inspections, approximately 30 a month, to ensure compliance with the By-law. As in the past, all such complaints will be dealt with immediately.

The recommendations for new licensing requirements, for all businesses which offer adult videos for rent or sale, will enable the City to have better control of the problems and to take immediate action for non-compliance of the By-law.

Respecting the two adult video stores formally at 116 Emerson Street and 7 Greenford Drive, the licences were not renewed in 1995. The By-law provides that these licences are no longer available. A housekeeping change should be made to Schedule 1 to reflect the four current licences and remove the two addresses no longer in use.

Bill 198 changes the licence powers and procedures for the City of Hamilton. As a result, Section 9 of the by-law must be amended to require a hearing for the denial of a licence. The process in the current by-law requires the applicant to request a hearing.

c.c. Patrice Noe Johnson, City Solicitor

6. (b.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 March 27

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: 58th F.C.M. Annual Conference - 1995 June 9 - 12, Toronto

RECOMMENDATION:

That the Mayor and a maximum of six (6) Aldermen be authorized to attend the 58th Annual Conference of the Federation of Canadian Municipalities to be held in Toronto, Ontario on 1995 June 9 - 12.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Registration is $390. Funding available in the Legislative Travelling Account.

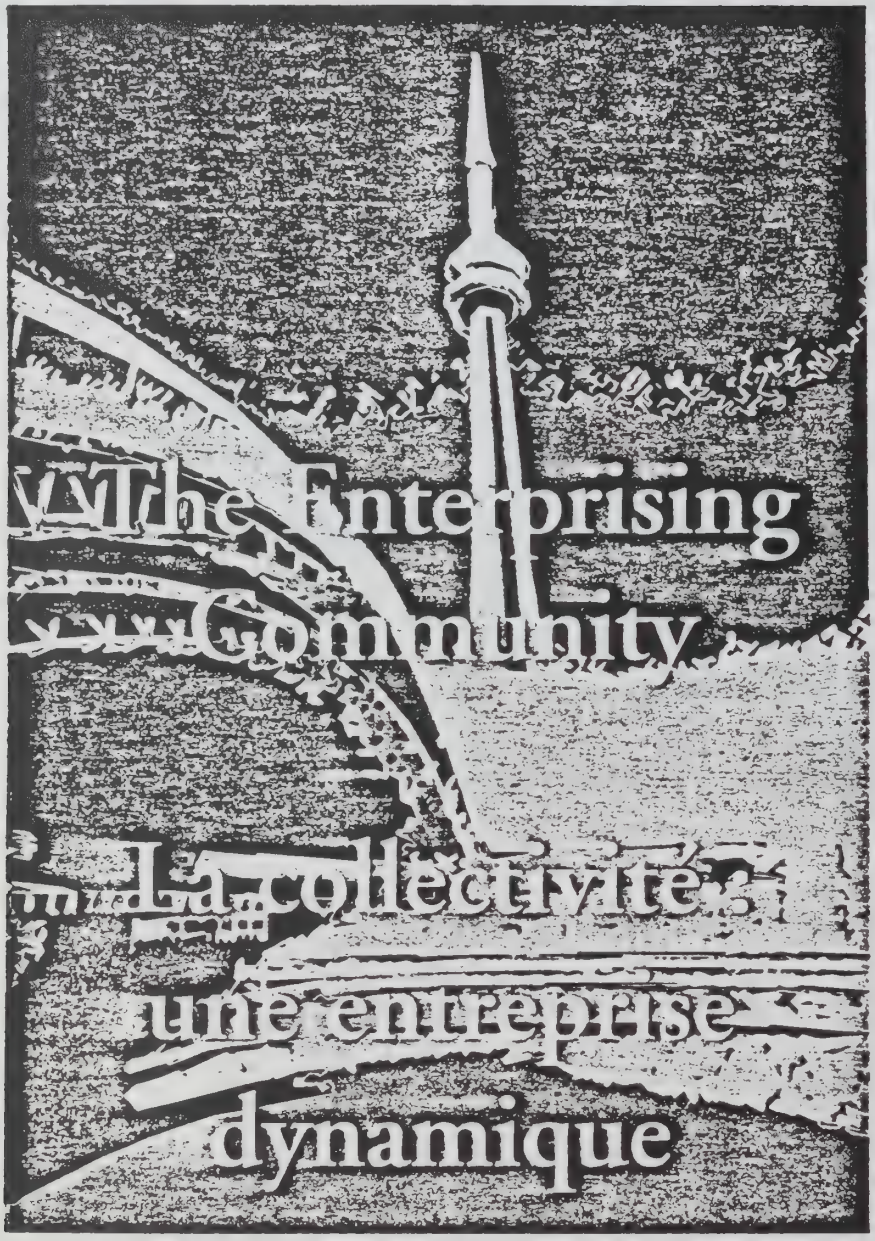
BACKGROUND:

The above recommendation is consistent with the approved recommendation for attendance at previous Annual Conferences.

The City of Hamilton is entitled to have seven (7) voting Delegates at this Conference.

Members of City Council who would like to be considered as a Delegate to the Annual Conference are asked to advise the Committee Secretary, Susan Reeder as soon as possible. This year's Conference theme is "The Enterprising Community". A copy of the Preliminary Program Information is herewith attached.

In the event that more than six (6) Aldermen are interested in attending this Conference, attendance has traditionally been determined by "lot" by the Finance and Administration Committee



Preliminary Program, Registration and Reservation Forms

Programme préliminaire, formulaires d'inscription et de réservation

FCM

June • Juin 9 - 12, 1995

Federation of Canadian Municipalities • Fédération canadienne des municipalités
58th Annual Conference • 58e Congrès annuel
Sheraton Centre • Centre Sheraton
Toronto, Ontario

June 9-12, 1995 • 9-12 juin 1995

See changes for 1995
Voir les changements apportés en 1995

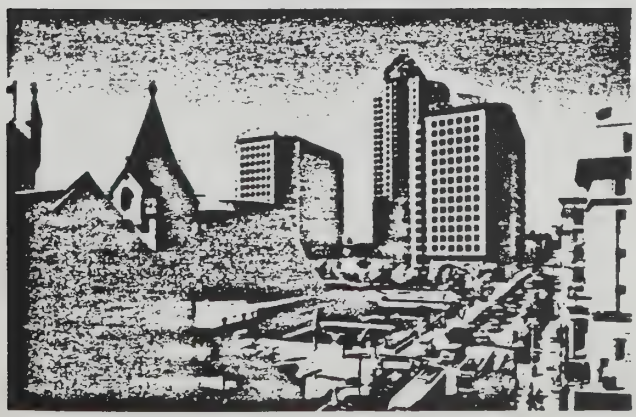
THE ENTERPRISING COMMUNITY

Inducing and managing change has become an imperative no municipal government can ignore. Municipal governments must become creative if they are to prosper amidst the stresses and strains of the 1990s. FCM's 1995 Annual Conference seeks to unleash our collective imagination toward enterprising government. It will draw inspiration more from the future than the past, more from the boardroom than the council-chamber.

The theme for FCM's 1995 Conference is "The Enterprising Community." Whereas last year's Conference highlighted the cost reduction side of the equation, this year's Conference will emphasize the business spirit of revenue enhancement. Municipal governments can become entrepreneurial by reexamining how they operate, reorganizing their assets, forging partnerships with the private sector and by delivering services more efficiently with fewer resources. Municipalities and their communities must become iconoclastic; cherished beliefs no longer hold true.

In this context, delegates will interact with leaders from all orders of government and the business world who are involved in the revolution of public enterprise. Besides high profile plenary presentations, the Conference program is made up of four sub-themes, each with two seminars. Each seminar will have a maximum of two speakers to allow for dialogue. As many events are concurrent, be sure your municipality is well represented. Simultaneous interpretation is provided.

Delegates will also take part in a host of enriching activities that complement the Conference program: the Trade Show, Clinics held by FCM Supporting Members, Study Tours, Policy Day and a pre-Conference workshop. The enclosed Preliminary Program will help you plan your participation in the Conference.



LA COLLECTIVITÉ : UNE ENTREPRISE DYNAMIQUE

Aujourd'hui, les gouvernements municipaux doivent provoquer le changement et apprendre à le gérer. Ils doivent faire preuve de créativité pour continuer de prospérer malgré les contraintes et les compressions des années 90. Le Congrès annuel de la FCM de 1995 cherche à libérer notre imagination collective en vue d'inciter les gouvernements locaux à être des entreprises dynamiques. Il s'inspirera davantage de l'avenir que du passé, davantage du conseil d'administration que du conseil municipal.

Cette année, le Congrès de la FCM aura pour thème «La collectivité : une entreprise dynamique». Alors que le congrès de l'an dernier portait sur la réduction des coûts, celui de cette année mettra l'accent sur l'esprit d'entreprise en vue d'accroître les revenus. Les gouvernements locaux peuvent faire preuve d'esprit d'entreprise en réexaminant leurs opérations, en restructurant leur actif, en établissant des partenariats avec le secteur privé et en offrant des services de façon plus efficace avec moins de ressources. Les municipalités et leurs collectivités doivent sortir des sentiers battus, car les croyances du passé ne tiennent plus.

Dans ce contexte, les délégués échangeront avec des dirigeants de tous les ordres de gouvernement et du milieu des affaires qui participent à la révolution au sein des organismes publics. En plus des prestigieuses séances plénières, le programme du congrès comporte quatre sous-thèmes, chacun comprenant deux séminaires. Chaque séminaire aura un maximum de deux conférenciers afin de permettre plus de temps pour des échanges. Puisque beaucoup d'activités auront lieu en même temps, assurez-vous que votre municipalité soit bien représentée. Un service d'interprétation simultanée sera offert.

Les délégués participeront également à une foule d'autres activités enrichissantes, notamment le Salon de la municipalité, les cliniques présentées par des membres de soutien de la FCM, les visites d'étude, la journée des politiques et un atelier précédant le congrès. Le programme préliminaire ci-joint vous aidera à mieux planifier votre participation au congrès.

CHANGES FOR 1995

This year the Conference will officially open in conjunction with the start of the Trade Show on Friday, June 9 at 10:00. The Premier of Ontario (tbc) will be on hand to cut the ribbon and make a few opening remarks. Delegates are encouraged to arrive on Thursday, June 8 in order to register between 18:00 and 21:00.

Friday evening there will be an opening banquet. **We are excited to announce that the Prime Minister of Canada, the Right Honourable Jean Chrétien, has been invited to address delegates at this event.** We have been in close contact with senior officials in the Prime Minister's Office and they have expressed interest. Final confirmation, however, cannot be expected until April. Register early so that you don't miss this important occasion! Prior to the banquet, be sure to attend the reception on the Trade Show floor scheduled for 17:00. Here delegates will be able to get refreshments and mix and mingle with exhibitors.



Also new this year, study tours will be offered on Friday and Monday (**Note that pre-registration is required**). The traditional closing banquet has been replaced by a reception at Metro Hall.

PLEASE WEAR YOUR NAME BADGE AT ALL SOCIAL AND MEAL FUNCTIONS - IT'S YOUR PASS. SOCIAL EVENTS WILL BE OPEN TO REGISTERED DELEGATES AND REGISTERED PARTNERS ONLY! NO ADDITIONAL TICKETS FOR SOCIAL FUNCTIONS WILL BE AVAILABLE THIS YEAR.

TRADE SHOW - DON'T MISS IT!

This year the Trade Show and Exposition will open the 1995 FCM Conference. Opening ceremonies take place on Friday, June 9 at 10:00. Come and see businesses and organizations from Canada and the United States; there will be a wealth of information that can reduce operating costs and help municipal governments deliver services more efficiently. Find out how to prosper in an age of technological innovation and shrinking budgets.

We have invited organizations that can respond to the specific needs of the municipal sector. Energy service companies, which can help your municipality create jobs and reduce energy consumption, will be well represented. From high technology specialists to waste management firms, the Trade Show will provide you with the solutions you need to run your government more effectively.

Come and join us at the Trade Show. Take the time to look around and talk with people who have products and services for your municipality. Find out what goods and services are best suited for your enterprising community. Don't miss this opportunity to reinforce your experience at the 1995 Annual Conference.

CHANGEMENTS APPORTÉS EN 1995

Cette année, l'ouverture officielle du congrès coïncidera avec le début du Salon de la municipalité le vendredi 9 juin à 10 h. Le premier ministre de l'Ontario (à confirmer) sera présent pour couper le ruban et prononcer l'allocution d'ouverture. Nous conseillons donc aux délégués d'arriver le jeudi 8 juin et de s'inscrire entre 18 h et 21 h.

Le banquet d'ouverture aura lieu le vendredi soir. Nous sommes très heureux d'annoncer que le Premier ministre du Canada, le très honorable Jean Chrétien, a été invité pour s'adresser aux délégués à cette occasion. Nous sommes en communication étroite avec le Cabinet du Premier ministre et les signaux que nous recevons sont encourageants. Cependant, nous ne recevrons pas de confirmation finale avant avril. Inscrivez-vous tôt afin de ne pas manquer ce moment important ! Avant le banquet, à 17 h, les délégués sont conviés à une réception au Salon de la municipalité. Des rafraîchissements seront servis et vous pourrez rencontrer et converser avec les exposants.

Autre élément nouveau cette année, les visites d'étude auront lieu les vendredi et lundi (**veuillez noter que la pré-inscription est obligatoire**). Le banquet de clôture traditionnel a été remplacé par une réception à Metro Hall.

VEUILLEZ PORTER VOTRE COCARDE POUR TOUTES LES ACTIVITÉS SOCIALES ET TOUS LES REPAS - C'EST VOTRE LAISSEZ-PASSER. SEULS LES DÉLÉGUÉS ET LES PARTENAIRES INSCRITS PEUVENT PARTICIPER AUX ACTIVITÉS SOCIALES. CETTE ANNÉE, AUCUN BILLET ADDITIONNEL NE SERA REMIS POUR LES ACTIVITÉS SOCIALES.

LE SALON DE LA MUNICIPALITÉ - UN ÉVÉNEMENT À NE PAS MANQUER !

Cette année, le Salon de la municipalité ouvrira le Congrès de 1995 de la FCM. Les cérémonies d'ouverture auront lieu le vendredi 9 juin, à 10 h. Venez découvrir des entreprises et des organismes canadiens et américains qui peuvent vous aider à réduire vos coûts et à offrir des services de façon plus efficace. Vous apprendrez comment les gouvernements municipaux peuvent prospérer grâce aux innovations technologiques et malgré leurs budgets restreints.

Nous avons invité des entreprises qui peuvent répondre aux besoins particuliers du secteur municipal. Les entreprises de services énergétiques, qui peuvent aider votre municipalité à créer des emplois et à réduire la consommation d'énergie, seront bien représentées. Qu'il s'agisse de spécialistes de haute technologie ou de firmes de gestion des déchets, le Salon de la municipalité vous offrira les solutions dont vous avez besoin pour mieux gérer votre municipalité.

Participez au Salon de la municipalité. Prenez le temps de parler aux gens et d'examiner les produits et les services qu'ils ont à offrir à votre municipalité. Découvrez les produits et les services qui permettront à votre collectivité de devenir une entreprise dynamique. Ne manquez pas cette occasion d'élargir votre expérience au congrès annuel.

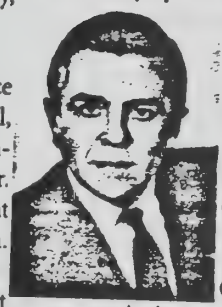
PLENARY SESSIONS

FCM has invited several political and business leaders to address the delegates as keynote speakers in plenary sessions. They will all have something to say about enterprising governments and issues of interest to municipalities. Upcoming issues of FORUM will have detailed information on these key decision makers as it becomes available.

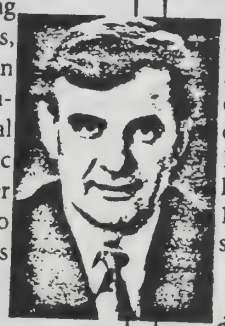
Dr. Stuart Smith, President, Philip Utilities Management Corporation, will present the Conference Theme keynote address, "The Enterprising Community." Philip Utilities has signed a ten-year contract with the Regional Municipality of Hamilton-Wentworth for the management and operation of its water and sewage works. Former municipal employees have been guaranteed employment and Hamilton-Wentworth will receive a portion of the profits from the operation of the facilities. Dr. Smith will offer some useful insights into public-private partnerships. This session will take place Saturday, June 10 at 09:30.



Sunday, June 11 at 16:00, **Ron Jamieson**, Vice President of Aboriginal Banking, Bank of Montreal, will explore the interface between enterprising communities and Aboriginal business practices. Mr. Jamieson has been active in economic development initiatives for Aboriginal communities across Canada.



The following day, Monday, June 12 at 08:30, **Marcel Côté**, Partner, Groupe Secor, a leading Montreal firm with expertise in strategic analysis, will discuss community economic development in the new economy. Diversity, cooperation, community support and entrepreneurship in a regional context are the axioms of local economic development in the 1990s. Mr. Côté advised Premier Robert Bourassa on economic policy from 1986 to 1988 and served the Prime Minister of Canada as Director of Strategic Planning.



Financing is an important component of public-private joint ventures. **Anthony H. Fisher**, Managing Director, Public Finance Group - Western Region, Merrill Lynch & Co., is a specialist in municipal utility financing in the United States. He has been involved in a broad range of public-private partnerships and managed over $40 billion of revenue bond financing for municipal water, sewer, solid waste and electric utilities. On Monday, June 12 at 09:00, Mr. Fisher will present a comparative analysis of public-private partnerships in a global environment, providing insights for similar practices in Canada.

This year we have invited **Robert Lewis**, Editor, Maclean's magazine, to act as the Conference observer. He will share his views on the Conference with delegates at the Closing Plenary on Monday, June 12 at 16:00.

SÉANCES PLÉNIÈRES

La FCM a invité une brochette impressionnante de dirigeants politiques et de chefs d'entreprises à titre de conférenciers d'honneur pour les séances plénières. Ces invités vous parleront de l'esprit d'entreprise dans le secteur public et de divers sujets qui intéresseront les municipalités. Vous aurez plus de précisions au sujet de ces grands décideurs dans les prochaines livraisons de FORUM.

Le Dr Stuart Smith, président de la Philip Utilities Management Corporation, présentera le discours-programme, «La collectivité : une entreprise dynamique». La société Philip Utilities a conclu une entente de dix ans avec la Municipalité régionale de Hamilton-Wentworth en ce qui touche la gestion et l'exploitation de ses installations d'aqueduc et d'égout. Les anciens employés municipaux conserveront leur emploi et la municipalité régionale recevra une part des profits de l'exploitation des installations. Le Dr Smith offrira des conseils utiles concernant les partenariats publics-privés. Cette séance aura lieu le samedi 10 juin à 9 h 30.

Le dimanche 11 juin à 16 h, **M. Ron Jamieson**, vice-président des activités bancaires autochtones à la Banque de Montréal, examinera les points communs entre les collectivités qui font preuve d'esprit d'entreprise et les méthodes d'affaires autochtones. M. Jamieson a participé activement aux initiatives de développement économique des collectivités autochtones à l'échelle du Canada.

Le lendemain, le lundi 12 juin à 8 h 30, **M. Marcel Côté**, partenaire du Groupe Secor, une excellente firme montréalaise qui se spécialise dans l'analyse stratégique, abordera le développement économique des collectivités dans le contexte de la nouvelle économie. La diversité, la coopération, le soutien communautaire et l'esprit d'entreprise dans un contexte régional sont les mots d'ordre du développement économique local dans les années 1990. M. Côté a été le conseiller du premier ministre Robert Bourassa en matière de politiques économiques de 1986 à 1988 et a il été le directeur de la planification stratégique auprès du premier ministre du Canada.

Le financement est une composante importante des partenariats publics-privés. **M. Anthony H. Fisher**, directeur général, Groupe des finances publiques - Région de l'Ouest, Merrill Lynch & Co., est un spécialiste du financement des services publics municipaux aux États-Unis. Il a participé à un large éventail de partenariats publics-privés et géré des revenus de plus de 40 milliards de dollars pour le financement d'obligations municipales touchant les services d'aqueduc, d'égout, d'élimination des déchets solides et les services publics. Le lundi 12 juin à 9 h, M. Fisher présentera une analyse comparative des partenariats publics-privés dans un contexte mondial, démontrant l'utilité d'implanter ce genre de partenariat au Canada.

Cette année, nous avons invité **M. Robert Lewis**, rédacteur en chef de la revue Maclean's, à agir à titre d'observateur du congrès. Il partagera ses opinions au sujet du congrès avec les délégués lors de la plénière de clôture, le lundi 12 juin à 16 h.

SEMINARS

FCM's 1995 Annual Conference will explore a variety of subjects aimed at increasing wealth and efficiency in municipalities: public-private partnerships, non-tax revenues, developing a community's 'hidden assets' and reengineering government operations.

Delegates will hear practical information from top business leaders and public administrators. Eight seminars will be offered. Four concurrent seminars will take place from 10:00 to 12:00 Saturday, June 10. The next four will be offered from 14:00 to 16:00 Monday, June 12.

We will not repeat the seminars this year so be sure to attend the ones you have earmarked for your municipality. Better still, send a large delegation to the Conference and maximize the benefits to your community with practical information that can help you deliver cost-effective services with fewer resources.

All sessions will have simultaneous interpretation and a maximum of two speakers to allow for ample dialogue. This is a participatory exercise and we encourage delegates to get involved. Your input is needed and appreciated!

The following is a preliminary listing of seminar topics and speakers invited to date.

SÉMINAIRES

Le Congrès de 1995 de la FCM examinera divers moyens qui peuvent aider les municipalités à accroître leur richesse et leur efficacité, notamment les partenariats publics-privés, les recettes non fiscales, la mise en valeur de l'«actif caché» d'une collectivité et la réingénierie des opérations gouvernementales.

Les délégués recevront des conseils pratiques de la part de chefs d'entreprises et de hauts fonctionnaires. Huit séminaires seront présentés. Quatre séminaires seront présentés parallèlement de 10 h à 12 h, le samedi 10 juin. Les quatre autres séminaires seront présentés de 14 h à 16 h, le lundi 12 juin.

Cette année, les séminaires ne seront pas présentés deux fois. Assurez-vous donc de participer à tous ceux qui intéressent votre municipalité. Mieux encore, envoyez une délégation importante au congrès afin de maximiser les avantages pour votre collectivité en obtenant des conseils pratiques qui vous aideront à offrir des services de façon efficace avec moins de ressources.

Tous les séminaires auront un service d'interprétation simultanée et un maximum de deux conférenciers afin de laisser amplement de temps pour des échanges. Nous encourageons les délégués à participer activement à ces séminaires. Vos opinions sont importantes.

Voici la liste préliminaire des sujets et des conférenciers invités jusqu'à maintenant.

1. Public-Private Partnerships I

Traditional management techniques are often inappropriate and inefficient. Public-private partnerships are one way governments can deal with rising costs and diminishing resources. In order to be effective, however, public-private partnerships must promote excellence, accountability and flexibility. Explore the mechanics of managing public-private partnerships and find out how to make them work in your community. Join **Chuck Wills**, Chief Administrative Officer, City of Windsor, and **Ayman Hassan**, Senior Vice President, International Business Development, Philip Utilities Management Corporation, on Saturday, June 10 at 10:00 for an informative discussion on this exciting topic. The City of Windsor has many years of experience with public-private partnerships, beginning with the Windsor-Detroit Tunnel over sixty years ago.

2. From Bureaucracy to Enterprise I

The transformation of local government bureaucracies requires care and attention to the management of human resources. People are an organization's long-term competitive advantage. Examination of private and public sector experience is essential in learning how to minimize the negative effects of downsizing, rationalizing operations and restructuring. Find out how to invest in your staff and realize goals previously deemed unattainable. Come and see what enterprising governments are doing to maximize their human resources. **Suzanne McGlashan**, Commissioner of Corporate Services, City of Ottawa, will share her experiences and views on this subject with **David A. Drinkwalter**, President, Implementation Management Associates (Canada) Inc.. Mr. Drinkwalter has extensive managerial expertise and experience in professional and strategic planning. This seminar takes place Saturday, June 10 at 10:00.

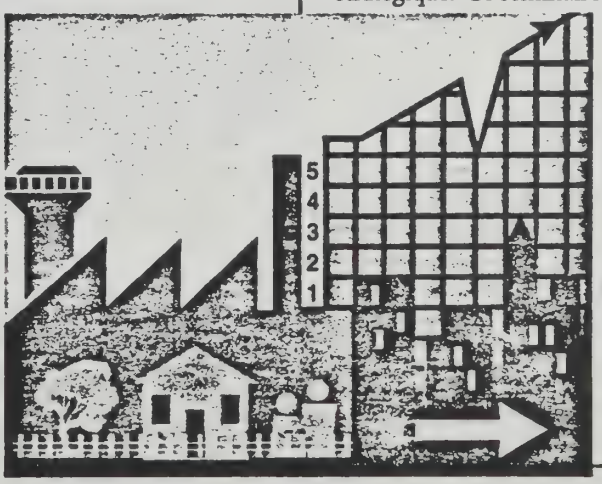
1. Partenariats publics-privés I

Les méthodes de gestion conventionnelles sont souvent inappropriées et inefficaces. Le recours à des partenariats publics-privés est un des moyens pour les gouvernements de faire face à la hausse des coûts et à la diminution des ressources. Toutefois, pour être efficaces, les partenariats publics-privés doivent être axés sur l'excellence, la responsabilité et la flexibilité. Venez découvrir les mécanismes de la gestion des partenariats publics-privés et comment les appliquer au sein de votre collectivité. Joignez-vous à M. **Chuck Wills**, directeur général à la Ville de Windsor, et à M. **Ayman Hassan**, vice-président supérieur, International Business Development, Philip Utilities Management Corporation, le samedi 10 juin à 10 h, pour un débat informatif sur ce sujet fort intéressant. La Ville de Windsor compte de nombreuses années d'expérience en ce qui touche les partenariats publics-privés, en commençant par le tunnel reliant Windsor et Détroit, réalisé il y a plus de soixante ans.

2. De l'esprit bureaucratique à l'esprit d'entreprise I

La transformation de l'appareil administratif des gouvernements locaux exige une attention particulière à la gestion des ressources humaines. Les ressources humaines représentent l'avantage concurrentiel à long terme d'un organisme. Il est essentiel d'examiner l'expérience des secteurs privé et public pour apprendre à minimiser les effets négatifs de la réduction des effectifs et des activités de rationalisation et de restructuration. Apprenez à investir dans votre personnel et à réaliser les buts qui vous semblaient auparavant impossibles. Découvrez ce que certains gouvernements font pour maximiser leurs ressources humaines. M^me^ **Suzanne McGlashan**, commissaire des Services généraux à la Ville d'Ottawa, partagera ses expériences et ses opinions sur ce sujet avec M. **David A. Drinkwalter**, président, Implementation Management Associates (Canada) Inc. M. Drinkwalter possède une vaste expérience dans la planification professionnelle et stratégique. Ce séminaire aura lieu le samedi 10 juin à 10 h.

The Enterprising Community



La collectivité : une entreprise dynamique

3. Community Economic Development I

Discover how to use the hidden assets in your community to achieve economic and social renewal. Traditional methods such as attracting big projects and branch plants which are capital-intensive are less promising in the post-industrial age. Municipalities must harness home-grown industries if they are to strengthen and consolidate their positions in the new economic environment. Join **Glenn Lowry**, Director, Art Gallery of Ontario, and **Kathleen Sharpe**, Director, Cultural Affairs, Municipality of Metropolitan Toronto, and learn about Canada's newest industry - culture. Learn how the arts and business mix to produce profits for large and small communities. Successful partnership models from across the country will be discussed. Hope to see you on Saturday, June 10 at 10:00.

4. Reengineering Government Operations I

Delivering services in new and cost-effective ways with an emphasis on client satisfaction is the thrust of this seminar. Find out how enterprising municipal governments are applying innovative ideas and solutions to improve service delivery. We will examine staff exchanges, joint service delivery and purchasing and public-public partnerships with other municipalities to determine whether your corporate objectives and targets are being met. We have asked **Vera Danyluk**, Chairman, Executive Committee, Montreal Urban Community, and **John Burke**, Chief Administrative Officer, Regionional Municipality of Halton, to discuss some of the novel servivce delivery mechanisms their communities are using. The Montreal Urban Community is currently developing a comprehensive business plan which will renew its corporate culture and revamp its regional operations. This seminar takes place on Saturday, June 10 at 10:00.

3. Développement économique des collectivités I

Découvrez comment mettre à contribution l'actif caché de votre collectivité pour réaliser le renouveau économique et social. Les méthodes conventionnelles, qui consistent à attirer des mégaprojets et des filiales de grandes sociétés exigeant beaucoup de capitaux, sont des solutions moins prometteuses dans l'ère postindustrielle. Pour renforcer et consolider leur position dans le nouveau contexte économique, les municipalités doivent canaliser le potentiel des industries locales. Joignez-vous à M. **Glenn Lowry**, directeur de la Galerie des beaux-arts de l'Ontario, et à M^me^ **Kathleen Sharpe**, directrice des affaires culturelles à la Municipalité de la Communauté urbaine de Toronto, et découvrez la toute nouvelle industrie du Canada : la culture. Apprenez comment les collectivités, petites et grandes, peuvent combiner les arts et les affaires pour réaliser des profits. Vous examinerez des modèles de partenariats efficaces à l'échelle du pays. Soyez des nôtres le samedi 10 juin, à 10 h.

4. La réingénierie des opérations gouvernementales I

Ce séminaire portera sur des façons nouvelles et efficaces d'offrir des services en mettant l'accent sur la satisfaction des clients. Découvrez comment les gouvernements municipaux qui ont l'esprit d'entreprise appliquent des idées et des solutions novatrices afin d'améliorer la façon d'offrir les services. Nous examinerons les échanges d'employés municipaux, la prestation et l'achat en commun de services et les partenariats publics-publics avec d'autres municipalités afin de déterminer si vous atteignez vos objectifs et vos buts généraux. Nous avons invité M^me^ **Vera Danyluk**, présidente du Comité exécutif de la Communauté urbaine de Montréal, et M. **John Burke**, directeur général de la Municipalité régionale de Halton, pour présenter certains des mécanismes de prestation novateurs mis en oeuvre dans leurs collectivités. La Communauté urbaine de Montréal élabore actuellement un plan d'affaires qui lui permettra de revoir sa culture d'entreprise et d'améliorer ses opérations régionales. Ce séminaire aura lieu le samedi 10 juin à 10 h.

5. Public-Private Partnerships II

Explore increasingly popular public-private partnerships in water, wastewater and solid waste activities. The object of this seminar is to examine the impact on our communities and local economies of turning over management of these affairs to foreign companies. Is your community maximizing its investment by choosing a foreign organization? Are appropriate community benefits, economic linkages and spinoffs being realized? With 55% of the environmental sector controlled by foreign firms, Industry Canada officials believe it is time for concerted action. Participate in a debate on the subject between **Lucien Bradet**, Director General, Environmental Affairs Branch, Industry Canada, and **Jean H. Paradis**, President, TIRU Canda Inc.. TIRU is the French firm recently awarded the contract to manage Moncton's solid waste activities. Attend this important seminar on Monday, June 12 at 14:00.

6. From Bureaucracy to Enterprise II

While the capacity to raise taxes may be exhausted, the enhancement and diversification of revenues through public enterprise has only begun. From profit-driven solid waste and industrial park management, consulting services and software products to the provision of non-traditional services, municipalities can make money by expanding the scope of their activities. Learn what municipalities are doing and can do to generate non-tax revenues. Join **Tom Stockie**, Chief Administrative Officer, City of Waterloo, and **Richard Gilbert**, Consultant in Urban Issues, Toronto, on Monday, June 12 at 14:00. The City of Waterloo is in the process of redesigning the organization into business units and profit centres.

5. Partenariats publics-privés II

Il existe de plus en plus de partenariats publics-privés dans des secteurs tels que de l'adduction d'eau, les eaux usées et les déchets solides. Ce séminaire vise à examiner l'impact que le transfert de la gestion de ces activités à des firmes étrangères peut avoir sur nos collectivités et nos économies locales. Votre collectivité maximise-t-elle son investissement en optant pour une firme étrangère ? Obtenez-vous des avantages communautaires et des retombées économiques valables ? Puisque 55 pour cent du secteur de l'environnement est contrôlé par des firmes étrangères, les responsables d'Industrie Canada croient que le moment est venu de se concerter. Participez à un débat sur ce sujet entre M. **Lucien Bradet**, directeur général à la Direction générale des affaires environnementales, Industrie Canada, et M. **Jean H. Paradis**, président de TIRU Canada inc., la firme française qui a récemment obtenu le contrat pour la gestion des déchets solides de la Ville de Moncton. Assistez à cet important séminaire le lundi 12 juin à 14 h.

6. De l'esprit bureaucratique à l'esprit d'entreprise II

Nous avons peut-être épuisé notre capacité de hausser les taxes, mais l'augmentation et la diversification des recettes par le biais d'entreprises publiques ne fait que commencer. Allant de la gestion des déchets axée sur le profit et la gestion des parcs industriels, en passant par des services de consultation et l'élaboration de logiciels, jusqu'à des services non conventionnels, les municipalités peuvent réaliser des profits en élargissant la portée de leurs activités. Venez apprendre ce que les municipalités font et peuvent faire en vue d'accroître leurs recettes non fiscales. Joignez-vous à M. **Tom Stockie**, directeur général de la Ville de Waterloo, et à M. **Richard Gilbert**, consultant en questions urbaines, de Toronto, le lundi 12 juin à 14 h. La Ville de Waterloo est en voie de se restructurer en unités fonctionnelles et en centres de profit.

7. Community Economic Development II

The Earth Summit told us that the environment must not be sacrificed to unchecked economic expansion. Learn how to identify environmentally friendly community economic development projects which can give sustainable development a practical foundation without sacrificing economic opportunity. **William McMillin Carson**, Chief Administrative Officer, Regional Municipality of Hamilton-Wentworth, and **Stephan Barg**, Program Director, Business and Government, International Institute for Sustainable Development, will share their experiences and knowledge with delegates at this informative seminar. Discover how to make your municipal government's budget 'green' and encourage 'green' entrepreneurship. Explore how energy conservation, hazardous and solid waste reduction, recycling and sustainable land use can become engines of economic growth. This seminar takes place Monday, June 12 at 14:00.

8. Reengineering Government Operations II

Client-driven governments require non-traditional management practices. Innovative and improved methods of service delivery will place different demands on municipal employees. This seminar will explore how employees can participate in practising public enterprise. Reengineering government operations will require a different decision making relationship between labour and management and an entrepreneurial spirit in municipal government. **Doug Lychak**, City Manager, City of Surrey (formerly City Manager , City of Mississauga), and **Stan Marshall**, Senior Research Officer, Canadian Union of Public Employees, have been invited to participate in this seminar on Monday, June 12 at 14:00.

7. Développement économique des collectivités II

Le Sommet de la terre nous a montré qu'il ne faut pas sacrifier l'environnement au profit de l'expansion économique non contrôlée. Apprenez comment choisir des projets de développement économique communautaire sensibles à l'environnement qui peuvent contribuer à mettre en pratique le concept du développement durable sans pour autant sacrifier les débouchés économiques. M. **William McMillin Carson**, directeur général de la Municipalité régionale de Hamilton-Wentworth, et M. **Stephan Barg**, directeur de la Division des entreprises et des gouvernements, à l'Institut international du développement durable, partageront leurs expériences et leurs connaissances avec les délégués dans le cadre de ce séminaire informatif. Découvrez comment votre municipalité peut adopter un budget «écologique» et favoriser les entreprises «écologiques». Vous apprendrez également comment la conservation de l'énergie, la réduction des déchets dangereux et solides, le recyclage et l'aménagement viable du territoire peuvent devenir les moteurs de la croissance économique. Ce séminaire sera présenté le 12 juin à 14 h.

8. La réingénierie des opérations gouvernementales II

Les gouvernements qui accordent la priorité à leurs clients exigent des méthodes de gestion non conventionnelles. Ces façons novatrices d'offrir des services exerceront de nouvelles demandes sur les employés municipaux. Ce séminaire examine comment les employés peuvent contribuer à l'esprit d'entreprise dans le secteur public. La réingénierie des opérations gouvernementales exigera une relation différente au chapitre de la prise de décisions entre les employés et les gestionnaires ainsi que l'établissement d'un esprit d'entreprise au sein du gouvernement municipal. M. **Doug Lychak**, directeur général de la Ville de Surrey (ex-directeur général de la Ville de Mississauga), et M. **Stan Marshall**, agent de recherche principal, Syndicat canadien de la fonction publique, ont été invités pour participer à ce séminaire, qui sera présenté le lundi 12 juin à 14 h.

POLICY FORUMS

For a second year the Conference will offer Policy Forums. This allows delegates to find out what the Policy Committees are doing and contribute ideas for 1995-96.

These interactive sessions will assist FCM Standing Committees and National Action Committees in establishing policy priorities for 1995-96. Drop by and give us your input - or just to say hello.

Saturday, June 10

GROUP A: 15:30 - 17:00

- Community Safety and Crime Prevention
- Economic Development
- Municipal Finance, Housing and Constitutional Affairs
- Environmental Issues

Sunday, June 11

GROUP B: 13:30 - 14:30

- Municipal Infrastructure
- National Action Committee on Race Relations
- Municipal-Aboriginal Relations
- National Action Committee on Municipal Access

GROUP C: 14:45 - 15:45

- National Transportation and Communications
- International Programs
- Working Group on District Energy Systems
- FCM/CAMA Task Force on Local Government

FORUMS POLITIQUES

Pour une deuxième année consécutive, le congrès comportera des forums politiques. Les délégués pourront ainsi découvrir ce que font les comités de politique et proposer des idées pour 1995-1996.

Ces séances interactives aideront les comités permanents et les comités d'action nationale de la FCM à établir les priorités politiques pour 1995-1996. Venez nous faire part de vos opinions ou simplement nous dire bonjour.

Le samedi 10 juin

GROUPE A : 15 h 30 - 17 h

- Sécurité communautaire et prévention de la criminalité
- Développement économique
- Finances municipales, logement et affaires constitutionelles
- Questions environmentales

Le dimanche 11 juin

GROUPE B : 13 h 30 - 14 h 30

- Infrastructures urbaines
- Comité d'action nationale sur les relations interraciales
- Relations des municipalités avec les autochtones
- Comité d'action nationale sur l'accès municipal

GROUPE C : 14 h 45 - 15 h 45

- Transports nationaux et communications
- Programmes internationaux
- Groupe de travail sur les systèmes énergétiques de quartier
- Groupe de travail de la FCM/ACAM sur les gouvernements locaux

CLINICS

FCM Supporting Members request your presence at important information CLINICS Saturday and Monday mornings between 07:30 - 08:30. The latest in products, services and ideas to help municipal governments deliver high quality and cost-effective services will be showcased.

Eight clinics will be offered. Four will be held Saturday, June 10 from 07:30 to 08:30. The remaining four will take place Monday, June 12 from 07:30 to 08:30.

SATURDAY, JUNE 10 07:30 - 08:30

1. **FINANCING ENERGY EFFICIENCY-BASED INFRASTRUCTURE RENEWAL IN MUNICIPALITIES**
   Global Energy Vision

2. **TOWARD IMPROVED INFRASTRUCTURE PERFORMANCE**
   National Research Council

3. **PARTNERS, PROFITS AND PROGRESS: CONVERTING ABANDONED RAILINES TO RECREATION AND ECONOMIC BENEFITS**
   Canadian Parks/Recreation Association

4. **SETTING WATER AND WASTEWATER RATES IN THE ENTERPRISING COMMUNITY**
   Canadian Water and Wastewater Association

MONDAY, JUNE 12 07:30 - 08:30

5. **INNOVATIVE FINANCING SOLUTIONS FOR INFRASTRUCTURE**
   RBC Dominion Securities Inc.

6. **INNOVATIVE MUNICIPAL FINANCING: INSTRUMENTS AND TECHNIQUES**
   Merrill Lynch

7. **THE ENTERPRISING COMMUNITY AND THE PRIVATE SECTOR: WORKING TOGETHER**
   Professional Services Group Canada, Inc.

8. **GET CONTROL OF COSTS THROUGH ACTIVITY-BASED COST MANAGEMENT**
   KPMG Management Consultants

CLINIQUES

Les membres de soutien de la FCM vous invitent à assister aux cliniques qui seront présentées les samedi et lundi matins, entre 7 h 30 et 8 h 30. Vous y découvrirez des idées ainsi que de nouveaux produits et services qui peuvent aider les gouvernements municipaux à offrir des services de qualité de façon efficace.

Huit cliniques seront offertes. Quatre seront présentées le samedi 10 juin, de 7 h 30 à 8 h 30, et les quatre autres le lundi 12 juin, de 7 h 30 à 8 h 30.

LE SAMEDI 10 JUIN, 7 h 30 - 8 h 30

1. **LE FINANCEMENT DE LA RÉFECTION DES INFRASTRUCTURES URBAINES AXÉ SUR L'EFFICACITÉ ÉNERGÉTIQUE**
   Global Energy Vision

2. **AMÉLIORATION DU RENDEMENT DES INFRASTRUCTURES**
   Conseil national de recherches

3. **PARTENAIRES, PROFITS ET PROGRÈS : LA CONVERSION DES LIGNES DE CHEMIN DE FER ABANDONNÉES À DES FINS RÉCRÉATIVES ET ÉCONOMIQUES**
   Association canadienne des loisirs/parcs

4. **L'ÉTABLISSEMENT DES TARIFS DE L'EAU POTABLE ET DES EAUX USÉES DANS LES COLLECTIVITÉS**
   Association canadienne des eaux potables et usées

LE LUNDI 12 JUIN, 7 h 30 - 8 h 30

5. **SOLUTIONS DE FINANCEMENT NOVATRICES POUR LES INFRASTRUCTURES**
   RBC Dominion Securities Inc.

6. **MÉTHODES DE FINANCEMENT NOVATRICES POUR LES MUNICIPALITÉS : INSTRUMENTS ET TECHNIQUES**
   Merrill Lynch

7. **LA COLLECTIVITÉ ENTREPRENEURIALE ET LE SECTEUR PRIVÉ : LA CONCERTATION**
   Professional Services Group Canada Inc.

8. **CONTRÔLER LES COÛTS GRÂCE À LA GESTION DU COÛT DE REVIENT PAR ACTIVITÉ**
   KPMG Management Consultants

THE ENTERPRISING COMMUNITY

PROGRAM AT A GLANCE

THURSDAY, JUNE 8

18:00 Registration

FRIDAY, JUNE 9

08:00 Registration
08:00 Standing Committee on Policies and Resolutions
08:30 FCM- CAMA Workshop in Partnership with MISA (separate registration)
09:00 Regional Meetings - OPEN TO ALL DELEGATES
10:00 CONFERENCE AND TRADE SHOW OPENING CEREMONY
10:30 National Board of Directors' Meeting
12:00 National Board of Directors' Lunch
13:30 Study Tours
14:00 Partners' Program Activities
17:00 Reception on Trade Show Floor
19:00 Banquet

SATURDAY, JUNE 10

07:30 Clinics
08:00 Registration
08:30 Opening Plenary - Keynote Address
09:30 Trade Show Opens
09:30 Theme Keynote Address
09:30 Partners' Program Activities
10:00 Seminars
12:00 Lunch on the Trade Show Floor and Exhibit Viewing
15:00 Trade Show Closing and Prize Draws
15:30 Policy Forums A
- Community Safety and Crime Prevention
- Economic Development
- Municipal Finance, Housing and Constitutional Affairs
- Environmental Issues

17:00 RECEPTION - FIVE STAR COMMUNITY AWARDS PRESENTATION

FREE EVENING

LA COLLECTIVITÉ : UNE ENTREPRISE DYNAMIQUE

LE PROGRAMME EN BREF

LE JEUDI 8 JUIN

18 h Inscription

LE VENDREDI 9 JUIN

8 h Inscription
8 h Comité permanent sur les politiques et les résolutions
8 h 30 Atelier FCM-ACAM en partenariat avec la MISA (inscription distincte)
9 h Réunions régionales - OUVERTES À TOUS LES DÉLÉGUÉS
10 h CÉRÉMONIE D'OUVERTURE DU CONGRÈS ET DU SALON DE LA MUNICIPALITÉ
10 h 30 Réunion du Conseil national d'administration
12 h Déjeuner du Conseil national d'administration
13 h 30 Visites d'étude
14 h Activités du programme des partenaires
17 h Réception au Salon de la municipalité
19 h Banquet

LE SAMEDI 10 JUIN

7 h 30 Cliniques
8 h Inscription
8 h 30 Plénière et allocution d'ouverture
9 h 30 Ouverture du Salon de la municipalité
9 h 30 Discours-programme
9 h 30 Activités du programme des partenaires
10 h Séminaires
12 h Déjeuner au Salon de la municipalité et expositions
15 h Fermeture du Salon de la municipalité et tirage des prix
15 h 30 Forums politiques A
- Sécurité communautaire et prévention de la criminalité
- Développement économique
- Finances municipales, logement et affaires constitutionelles
- Questions environnementales

17 h RÉCEPTION - REMISE DES PRIX COMMUNAUTAIRES CINQ ÉTOILES

SOIRÉE LIBRE

SUNDAY, JUNE 11

08:00 Annual General Meeting
- Election of Officers
- Address of Incoming President
- Roll of Honour Presentations

09:30 Policy Session
09:30 Partners' Program Activity
12:30 Election of the National Board of Directors
13:00 Election of Regional and Rural Chairs
13:30 Policy Forums B
- Municipal Infrastructure
- National Action Committee on Race Relations
- Municipal-Aboriginal Relations
- National Action Committee on Municipal Access

14:45 Policy Forums C
- National Transportation and Communications
- International Programs
- Working Group on District Energy Systems
- FCM/CAMA Task Force on Local Government

16:00 Plenary Session
16:30 Policy Session (continued from A.M. if necessary)
17:30 A Doo at the Zoo

MONDAY, JUNE 12

07:30 Clinics
08:30 Plenary
09:00 Partners' Program Activity
10:00 Study Tours
12:00 Cash Bar
12:30 Delegates Lunch - HOSTED BY BELL MOBILITY/MOBILITY CANADA
14:00 Seminars
16:00 Closing Plenary
17:30 Closing Reception - Metro Hall

TUESDAY, JUNE 13

08:00 National Board of Directors' Meeting

LE DIMANCHE 11 JUIN

8 h Assemblée générale annuelle
- Élection des dirigeants
- Discours du nouveau président
- Présentation des parchemins d'honneur

9 h 30 Séance sur les politiques
9 h 30 Activités du programme des partenaires
12 h 30 Élection du Conseil national d'administration
13 h Élection des présidents régionaux et ruraux
13 h 30 Forums politiques B
- Infrastructures urbaines
- Comité d'action nationale sur les relations interraciales
- Relations des municipalités avec les autochtones
- Comité d'action nationale sur l'accès municipal

14 h 45 Forums politiques C
- Groupe de travail sur les systèmes énergétiques de quartier
- Programmes internationaux
- Transports nationaux et communications
- Groupe de travail de la FCM/ACAM sur les gouvernements locaux

16 h Séance plénière
16 h 30 Séance sur les politiques (suite de l'avant-midi, si nécessaire)
17 h 30 Soirée au zoo

LE LUNDI 12 JUIN

7 h 30 Cliniques
8 h 30 Plénière
9 h Activités du programme des partenaires
10 h Visites d'étude
12 h Bar payant
12 h 30 Déjeuner des délégués - OFFERT PAR BELL MOBILITÉ/MOBILITÉ CANADA
14 h Séminaires
16 h Plénière de clôture
17 h 30 Réception de clôture - Metro Hall

LE MARDI 13 JUIN

8 h Réunion du Conseil national d'administration

STUDY TOURS: FRIDAY, JUNE 9

This year study tours will be offered at two dedicated times - Friday, June 9 (13:30 - 17:00) and Monday, June 12 (10:00 - 12:30). Please indicate your study tour preferences on the Study Tour Registration Form. Tours are subject to a minimum and maximum number of participants.

Dufferin Mall

Over the past three years, Dufferin Mall, a mid-sized inner-city mall in Toronto's west end, has developed a unique Community Outreach program. Through partnerships with various governing bodies and the local community, Dufferin Mall has created Toronto's first classroom-in-a-mall and has encouraged dropouts to go back to school. Join this tour and hear about actual solutions to urban issues such as crime, youth alienation, waste reduction and more. Learn how the Dufferin Mall has raised its profile in the community, demonstrated its commitment to local issues and dealt with waste management.

Keele Valley Landfill Site

Keele Valley Landfill, located about 45 minutes north of Toronto, is one of the largest and most advanced landfills in Canada. Opened in 1983, the facility has landfilled more than 15 million tonnes of garbage to date. A tour of this award-winning facility will reveal the many facets of safely disposing of Metro's residential and commercial waste. The operation and design of the landfill will be discussed, including liner construction, odor control, leachate collection and methane gas recovery. Join the seagulls for a closer look at the tipping face of the site. Also included is a look at the weigh scale operation, a soil reclamation plant run by a private company and a centralized leaves and yard waste composting facility.

Main Sewage Treatment Plant

Canada's largest complete sewage treatment plant currently handles an average of 800,000 cubic metres of wastewater per day from a population of well over a million people. The plant covers a large 40-hectare site on the waterfront of Lake Ontario, just east of downtown Toronto. The tour of the plant will show the many stages of wastewater treatment used in the plant including removal of suspended solids, aerobic and anaerobic biological treatment, chlorine disinfection, sludge dewatering and an extensive incinerator complex that processes the majority of sludge produced in Metro Toronto.

VISITES D'ÉTUDE : LE VENDREDI 9 JUIN

Cette année, les visites d'étude seront offertes le vendredi 9 juin (13 h 30 - 17 h) et le lundi 12 juin (10 h - 12 h 30). Veuillez indiquer votre choix sur le formulaire d'inscription aux visites d'étude. Un nombre minimum et maximum de participants a été fixé pour toutes les visites.

Centre commercial Dufferin

Depuis trois ans, le Centre commercial Dufferin, situé dans l'ouest de Toronto, dans un quartier pauvre, a mis sur pied un programme de participation communautaire révolutionnaire. Grâce à des partenariats avec divers corps administratifs et la collectivité locale, le Centre commercial Dufferin a créé la première salle de classe à l'intérieur d'un centre commercial et a encouragé les décrocheurs à reprendre leurs études. Participez à cette visite pour découvrir quelques-unes des solutions uniques aux problèmes urbains quotidiens que constituent la criminalité, l'aliénation des jeunes, la réduction des déchets, etc. Apprenez comment le Centre a redoré son blason dans la collectivité, prouvé son engagement à résoudre les problèmes locaux et pris en main la gestion des déchets.

Site d'enfouissement de la vallée de Keele

Le site d'enfouissement de la vallée de Keele, situé à environ 45 minutes au nord de Toronto, est l'une des décharges les plus grandes et les plus modernes au Canada. En service depuis 1983, cette installation a reçu jusqu'à aujourd'hui plus de 15 millions de tonnes d'ordures. La visite de cette installation, récipiendaire de nombreux prix, vous permettra de découvrir comment la Communauté urbaine de Toronto élimine, en toute sécurité, les déchets résidentiels et industriels. On discutera du fonctionnement et de la conception de ce site d'enfouissement (revêtement, contrôle des odeurs, récupération du méthane et collecte du lixiviat). Voyez de plus près le point de déversement en compagnie des mouettes. Vous visiterez aussi les opérations de pesage, l'usine d'assainissement du sol exploitée par une firme privée, ainsi que le site centralisé de compostage des feuilles et des résidus de jardin.

Station principale d'épuration des eaux usées

La plus grande et la plus moderne du Canada, cette station traite actuellement en moyenne 800 000 m^3 d'eaux usées par jour provenant d'une population de plus d'un million d'habitants. Elle couvre une superficie de 40 hectares au bord du lac Ontario, juste à l'est du centre-ville de Toronto. La visite de cette station comprend les diverses étapes du traitement des eaux résiduaires : élimination des solides en suspension, traitement biologique aérobie et anaérobie, désinfection au chlore, déshydratation des boues et aussi l'important incinérateur qui traite la majorité des boues provenant de la Communauté urbaine de Toronto.

Metropolitan Toronto's Waterfront

Metro Toronto's Lake Ontario waterfront is an exciting mixture of industry, community, and culture. For this tour, Metro Toronto's historic ferry "Trillium" will serve as a "floating classroom" featuring presentations and displays on waterfront enterprises such as Harbourfront, the Waterfront Tourist Corridor, public-private partnerships, the Humber Bay Bridges Project, the Island Airport, residential development, transportation, industry, boating, waterfront trails and the "Lake Ontario Greenway." Participants will see the waterfront from the perspective of its past history, present circumstances, and future directions.

The Ford Centre for the Performing Arts

The Ford Centre for the Performing Arts, a new cultural facility located in the City of North York, contains three state-of-the-art theatres and an art gallery of contemporary Canadian works. On this tour, learn about the unique partnership the City has developed with the private sector. This partnership has redefined the management model for cultural facilities in Canada and offers substantial benefits to local and surrounding communities, the cultural sector and the facility owner.

Port Industrial District of Toronto

This area of the Toronto waterfront has traditionally been dominated by heavy industry. With these activities in decline the issue of alternative economic opportunities has been raised. This tour will focus on the evolution of the Port Industrial District from a hub of shipping activity to one encouraging the development of "green industry." The area's present transition status and its future proposals will be discussed. Stops include a soil reclamation demonstration project, the most advanced materials recovery facility in Canada, and National Rubber's Tire Recycling Unit.

Scarborough Town Centre

This truly unique centre is home to a myriad of public-private undertakings. The City of Scarborough municipal government is based in this complex as are several federal departments, the YMCA and a major retail shopping mall. Highlight of the tour will be the privately funded "cop-shop" located within the mall. The opening of the 41 Division substation - the first privately funded mall cop shop in North America - came in the wake of a 1991 riot and several other security problems involving youth at the mall.

Secteur riverain de la Communauté urbaine de Toronto

Ce secteur regroupe un mélange intéressant d'industries, de collectivités et de culture. Pour cette visite, le traversier historique «Trillium» de la Communauté urbaine de Toronto servira de salle de classe flottante pour vous donner un aperçu des projets réalisés sur les berges du lac, tels que : Harbourfront, le couloir touristique le long du secteur riverain, les partenariats entre les secteurs public et privé, le projet de pont enjambant la rivière Humber à son embouchure, l'aéroport des îles de Toronto, la construction résidentielle, les industries, la navigation de plaisance, les sentiers du bord du lac et le couloir de verdure du lac Ontario (Lake Ontario Greenway). On expliquera aux participants l'historique, la situation actuelle et les orientations futures de ce secteur.

Centre Ford des arts d'interprétation

Le Centre Ford des arts d'interprétation, nouvelle installation culturelle située dans la ville de North York, renferme trois théâtres ultra modernes et une galerie d'art canadien contemporain. Pendant cette visite, renseignez-vous sur le partenariat spécial que la ville a noué avec le secteur privé. Ce partenariat a redéfini le modèle de gestion des installations culturelles au Canada et offre d'importants avantages aux collectivités locales et avoisinantes, au secteur culturel et au propriétaire des installations.

District industriel du port de Toronto

Cette partie du secteur riverain de Toronto a traditionnellement été dominée par l'industrie lourde. Cependant, avec le déclin de ces activités, il a fallu trouver d'autres débouchés économiques. Cette visite se concentrera sur l'évolution du district industriel du port de Toronto, qui est passé d'une plaque tournante du transport maritime pour devenir un centre d'activités axées sur le développement de l'industrie environnementale. On discutera de la situation actuelle de ce district de même que des projets d'avenir. Vous visiterez un projet-pilote d'assainissement des sols, l'usine la plus moderne de récupération des matériaux au Canada et l'usine de recyclage des pneus de la société National Rubber.

Centre municipal de Scarborough (Scarborough Town Centre)

Ce centre vraiment unique en son genre est le siège d'une myriade d'entreprises publiques et privées. L'administration municipale de la Ville de Scarborough est située dans ce complexe ainsi que plusieurs ministères fédéraux, le YMCA et un grand centre commercial. Le point saillant sera la visite du poste de police secondaire situé dans le centre commercial. Ce poste, qui relève de la Division 41 et qui est le premier poste de police dans un centre commercial en Amérique du Nord financé par des fonds privés, a été créé à la suite de l'émeute de 1991 et en réponse aux nombreux problèmes de sécurité attribuables à la présence de jeunes dans ce centre.

STUDY TOURS: MONDAY, JUNE 12

Metro Hall

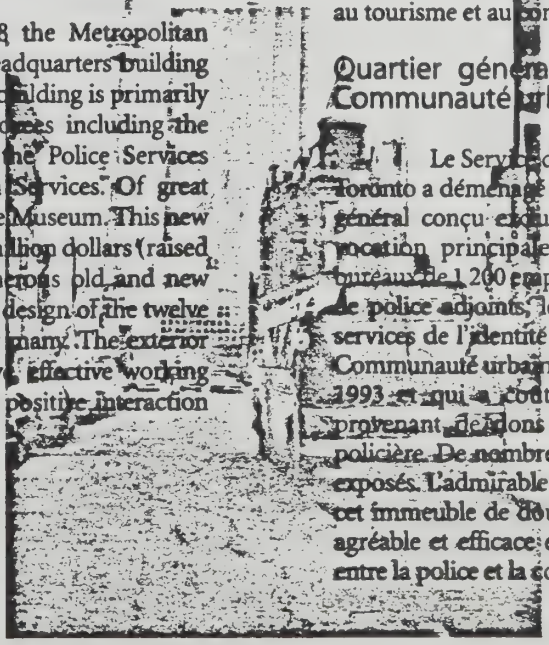
On the leading edge of building technology, the corporate headquarters of the Metro Toronto government is a showcase project for public-private cooperation. Metro Hall has been designed to be structurally barrier-free. The building environment (lighting, heating, ventilation and air conditioning systems) and security are controlled by three computers. A Computer Integrated Facilities Management (CIFM) database and CAD technologies are used to automate Facilities Management processes such as public and corporate events/meetings scheduling; allocating and tracking a corporate vehicle fleet; tracking building space and systems drawings; and operating a corporate telephone directory. Delegates will view the space-age council-chamber with its computerized voting system, the automated Translogic mail system which transports mail throughout the building, unique artwork by Ontario craftspeople, and the 27th floor which provides one of the finest panoramic views of the city.

Metro's Convention & Trade Show Facilities

1997 will mark the completion of two significant new economic development infrastructure projects in Metro Toronto. The Metropolitan Toronto Convention Centre expansion will double the capacity of the existing facility. The new National Trade Centre at Exhibition Place will become a global market showcase where buyers and sellers can meet, serving as a springboard to new business opportunities. Participants will learn how these sites will be transformed to meet the demands of trade and tourism in the next millennium.

Metropolitan Toronto Police Headquarters

During the summer of 1988 the Metropolitan Toronto Police moved into the first headquarters building designed specifically for the Force. The building is primarily administrative and houses 1200 employees including the Chief of Police, Command Officers, the Police Services Board and the Forensic Identification Services. Of great pride is the Metropolitan Toronto Police Museum. This new facility, opened in 1993 at a cost of two million dollars (raised from private donations), displays numerous old and new artifacts and exhibits. The architectural design of the twelve storey building has been applauded by many. The exterior and interior designs create an attractive, effective working environment and is a reminder of the positive interaction between the police and the community.



VISITES D'ÉTUDE : LE LUNDI 12 JUIN

Metro Hall

À la fine pointe de la construction, le siège social de l'administration de la Communauté urbaine de Toronto est un projet exemplaire de coopération des secteurs public et privé. De par sa construction même, Metro Hall a été conçu pour être facile d'accès. Les divers systèmes de l'édifice (éclairage, chauffage, ventilation et climatisation) de même que les systèmes de sécurité sont contrôlés par trois ordinateurs. Une base de données informatisée assure la gestion des installations (CIFM) et des techniques de conception assistée par ordinateur servent à automatiser les systèmes de gestion des installations, tels que l'organisation des réunions et événements publics et municipaux, l'affectation et le contrôle du parc de véhicules de la municipalité, le contrôle des bureaux vacants dans l'immeuble et la mise à jour de l'annuaire téléphonique de la municipalité. Les délégués visiteront la Salle du Conseil ultra-moderne et digne de l'ère spatiale, avec son système de vote par ordinateur, le système automatisé Translogic qui transporte le courrier à travers tout l'édifice, la magnifique collection d'oeuvres d'artisans de l'Ontario et le 27^{e} étage qui offre l'une des plus belles vues panoramiques de la ville.

Centre des congrès et Centre du commerce de la CUT

L'année 1997 marquera la fin des travaux de deux nouveaux projets d'infrastructure économique d'envergure dans la Communauté urbaine de Toronto. Le projet d'expansion du Centre des congrès de la Communauté urbaine de Toronto doublera la capacité des installations existantes. Le nouveau Centre national du commerce au Parc des expositions deviendra un centre de commerce mondial, où acheteurs et vendeurs pourront se rencontrer et élargir leurs marchés. On expliquera aux participants comment ces lieux seront transformés pour satisfaire les exigences propres au tourisme et au commerce du prochain millénaire.

Quartier général du Service de police de la Communauté urbaine de Toronto

Le Service de police de la Communauté urbaine de Toronto a déménagé à l'été de 1988 dans le premier quartier général conçu exclusivement pour lui. L'immeuble a une vocation principalement administrative et il abrite les bureaux de 1 200 employé(e)s, dont le chef de police, les chefs de police adjoints, le conseil des services de police et les services de l'identité judiciaire. Le Musée de la Police de la Communauté urbaine de Toronto, qui a ouvert ses portes en 1993 et qui a coûté deux millions de dollars (somme provenant de dons privés), fait l'orgueil de cette force policière. De nombreux objets, anciens et nouveaux, y sont exposés. L'admirable architecture extérieure et intérieure de cet immeuble de douze étages produit un milieu de travail agréable et efficace et rappelle les liens étroits qui existent entre la police et la collectivité.

R.C. Harris Water Treatment Plant

Metro Toronto's largest water treatment plant (second largest in Canada) supplies half of the treated water used by a population of more than three million people. Originally built in the late 1930s by the City of Toronto and expanded in the late 1950s by Metro Toronto, the plant remains a prime combination of architectural beauty and modern, state-of-the-art efficiency. Constructed toward the end of the Art Deco architectural era, the building's marble and brass decorated interior has been used many times as a film and television location. The tour of the plant will show the many physical and chemical processes used to treat Lake Ontario water for safe consumption including screening, coagulation, filtration,disinfection and ammoniation.

Recycling Technologies

This tour will take you through two facilities representing the leading edge in recycling technology - the Commissioners Street Materials Recovery Facility and National Rubber's Tire Recycling Unit. At the Commissioners Street Materials Recovery Facility (MRF) delegates will learn about Metro's Blue Box Program and the operation of the MRF. The tour includes a close-up look at the sorting process where electronic "proximity" sensors, electromagnetic separators, vibrating sorting tables, and rotating chain curtains are some of the unique machinery in use on a daily basis. At National Rubber's Tire Recycling Unit - Canada's state of the art rubber recycling operation - you will view the 250-tire per hour process that reduces tires from whole units to crumb rubber and prepares the crumb for recycling.

SkyDome

This tour highlights one of Toronto's most popular attractions - SkyDome. A marvel of modern architecture, SkyDome is the world's only stadium with a fully retractable roof. The Dome re-writes the present and future definition of multipurpose entertainment facilities – seating up to 55,000 for sports events, concerts, exhibitions, circuses and trade shows. The complex even has its own hotel, restaurants and bars, various meeting facilities, a health and fitness club and a mix of retail outlets and offices. The construction of the SkyDome was a controversial public-private venture involving some funding by the Metro Toronto government. It was privatized in 1994, after being owned and managed by a deeply indebted provincial corporation.

Station de traitement des eaux R.C. Harris

Il s'agit de la plus importante station de ce type dans la Communauté urbaine de Toronto (la seconde en importance au Canada). Elle fournit la moitié de l'eau potable consommée par une population forte de plus de trois millions d'habitants. Construite à l'origine vers la fin des années 1930 par la Ville de Toronto et agrandie vers la fin des années 1950 par la Communauté urbaine de la Toronto, la station représente toujours une parfaite combinaison de beauté architecturale et d'efficacité. Construit vers la fin de la période art déco, cet édifice, dont l'intérieur est décoré de marbre et de cuivre, a souvent été utilisé par le cinéma et la télévision comme lieu de tournage. La visite de cette station vous montrera les nombreux processus physiques et chimiques (tri, coagulation, filtration, désinfection et ammonisation) utilisés pour rendre l'eau du lac Ontario potable.

Technologies du recyclage

Vous visiterez deux installations à la fine pointe de la technologie du recyclage : les installations de récupération des matériaux de la rue Commissioners et l'usine de recyclage des pneus de la société National Rubber. Au premier arrêt, on expliquera aux délégués comment fonctionne le programme de recyclage Boîtes bleues de la CUT de même que les installations de récupération des matériaux. On se penchera sur le processus de triage : capteurs électroniques de proximité, trieurs électromagnétiques, tables de triage vibrantes et chaînes pendantes tournantes, soit quelques-unes des machines spéciales utilisées quotidiennement. À l'usine de la National Rubber, l'usine de recyclage des pneus la plus moderne au Canada, vous assisterez à la transformation de 250 pneus à l'heure, réduits en morceaux et préparés pour le recyclage.

SkyDome

Cette visite met en valeur l'une des attractions des plus populaires de Toronto, le SkyDome. Merveille de l'architecture moderne, le SkyDome est le seul stade au monde avec un toit complètement escamotable. Le Dome redéfinit la notion actuelle et future d'installations récréatives polyvalentes. La capacité pour des événements sportifs, des concerts, des expositions, des représentations de cirque et des foires commerciales est de 55 000 personnes. Le complexe a même son propre hôtel, ses restaurants et ses bars, plusieurs salles de réunion, un club de culture physique et un ensemble de bureaux et de magasins. La construction du SkyDome a été une entreprise controversée des secteurs public et privé que l'administration de la Communauté urbaine de Toronto a aussi financée. Le SkyDome a été privatisé en 1994, après avoir été administré par une société provinciale fort endettée.

Opening Banquet — Friday, June 9

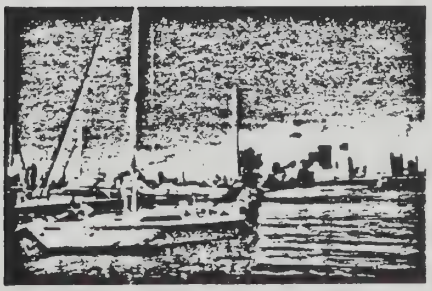
New for '95 - renew old friendships and greet colleagues from across the nation at the Opening Banquet in The Grand Ballroom of the Sheraton Centre. We have invited The Right Honourable Jean Chrétien, Prime Minister of Canada, to be our guest speaker at this special event (final confirmation is not expected until April).

Doo at the Zoo — Sunday, June 11

Recognized as one of the finest in the world, the Metropolitan Toronto Zoo is the setting for a wonderful evening of fun! A Doo at the Zoo is a special evening when the animals come out to play. Travel on the zoo-mobile or wander through the beautiful parkland. Be sure to visit with the White Lion Cubs (a wager on the '92 World Series won by the General Manager of the Metro Zoo). Good food and entertainment await you so mark your calendars now. The animals are waiting!

Metro Hall Closing Reception — Monday, June 12

Welcome to our home. The Members of the Metropolitan Toronto Council are pleased to welcome you to Metro Hall. Completed in 1992, we are proud to show off our magnificent headquarters. Walk through the automated Council-Chamber, take a look at our operations, chat with Metro employees. For those of you who have chosen to get Blue Jays Baseball tickets, the SkyDome is a short 5 minute walk down the street - so bring your glove. If baseball is not your cup of tea, choose from one of the countless dining establishments that surround Metro Hall.



Banquet d'ouverture — Le vendredi 9 juin

Nouveau en 1995 - Renouez les vieilles amitiés et accueillez vos collègues venant de toutes les parties du Canada au banquet d'ouverture dans la grande salle de bal du Centre Sheraton. Nous avons invité le très honorable Jean Chrétien, premier ministre du Canada, à titre de conférencier d'honneur pour cette occasion spéciale (nous n'aurons pas la confirmation officielle avant avril).

Soirée au zoo — Le dimanche 11 juin

Reconnu comme l'un des plus beaux du monde, le zoo de la Communauté urbaine de Toronto est l'endroit idéal pour une admirable soirée de distraction! Il s'agit d'une soirée spéciale durant laquelle les animaux sortent pour jouer. Voyagez à bord du «zoo-mobile» ou promenez-vous dans le merveilleux parc. Assurez-vous de visiter les lionceaux blancs (un pari sur les séries mondiales 1992 gagné par le directeur général du zoo de la Communauté urbaine de Toronto). Mets délicieux et divertissements agréables vous attendent : inscrivez donc cette date dès maintenant dans votre agenda. Les animaux vous attendent!

Réception de clôture à Metro Hall — Le lundi 12 juin

Bienvenue chez nous! Les membres du Conseil de la Communauté urbaine de Toronto ont le plaisir de vous accueillir à Metro Hall. Nous sommes fiers de vous présenter notre magnifique siège social, dont la construction a été achevée en 1992. Visitez la Salle du Conseil entièrement automatisée, jetez un regard sur nos opérations, bavardez avec nos employés. Pour ceux d'entre vous qui ont choisi de prendre des billets pour assister à un match de baseball des Blue Jays, le SkyDome est à cinq minutes de marche - apportez votre gant! Si vous n'êtes pas amateur de baseball, choisissez l'un des nombreux restaurants autour de Metro Hall.

City Tour

Friday, June 9	14:00 - 16:30	$29.00
Saturday, June 10	09:30 - 12:00	

Let Toronto Tours show you Toronto - a city with people from everywhere - in a city with everything. There are great stores and markets, museums and galleries, century-old churches, stately mansions, parks galore, and unique and modern buildings. Toronto is "The People City" with the safest, cleanest streets you'll find anywhere. It's a place to meet old friends and make new ones. The colourful history of Canada's largest and most fascinating city will unfold as you view the many sites glorifying Toronto's past as well as its present. To purchase your tickets please fill out the enclosed order form and return to Toronto Tours. This tour must be pre-booked.

Niagara Falls

Sunday, June 11	08:30 - 17:30	$84.00
Tuesday, June 13	08:30 - 17:30	

One of the natural wonders of the world, the magnificent splendour of Niagara Falls will provide a sight-seeing experience not to be missed! Awaiting you is the powerful surge of the Horseshoe and American Falls as they tumble from Lake Erie into the impressive Niagara River. Your tour includes a trip to the base of the falls on the Maid of the Mist. Travel on to Queenston Heights where you will be served a delicious lunch at the Queenston Heights Restaurant, overlooking the beautiful Niagara River and lush farmland of the Niagara fruitbelt. There are so many things to do and see in the Niagara Region that you're guaranteed to have a wonderful day! To purchase your tickets please fill out the enclosed order form and return to Toronto Tours. This tour must be pre-booked.

PLEASE COMPLETE THE ENCLOSED REGISTRATION FORM FOR THE ABOVE OPTIONAL TOURS AND RETURN TO:

Toronto Tours Limited
134 Jarvis Sreet
Toronto, Ontario M5B 2B5 Canada
Attention: Craig Nicholl, FCM Tours Coordinator

Visite de la ville

Le vendredi 9 juin	14 h - 16 h 30	29 $
Le samedi 10 juin	9 h 30 - 12 h	

Laissez Toronto Tours vous faire découvrir Toronto, une ville dont la population vient des quatre coins du globe, une ville qui ne manque de rien. Vous découvrirez des magasins et marchés fabuleux, des musées et galeries d'art, des églises centenaires, des résidences majestueuses, d'innombrables parcs et des immeubles à l'architecture unique et moderne. Toronto est une ville humaine. Nulle part au monde vous ne trouverez des rues plus propres ou plus sûres! C'est un endroit idéal pour rencontrer de vieux amis et nouer de nouvelles amitiés. L'histoire haute en couleur de la ville la plus grande et la plus fascinante du Canada vous sera dévoilée au cours de votre visite des nombreux sites illustrant son passé et son présent. Pour acheter vos billets, retournez le formulaire ci-joint dûment rempli à Toronto Tours. Cette visite doit être réservée à l'avance.

Chutes Niagara

Le dimanche 11 juin	8 h 30 - 17 h 30	84 $
Le mardi 13 juin	8 h 30 - 17 h 30	

Une des merveilles naturelles du monde, la splendeur magnifique des chutes Niagara constitue une expérience visuelle mémorable! La puissance des chutes du fer à cheval et des chutes américaines, qui tombent du lac Érié dans l'impressionnante rivière Niagara, vous éblouira. Votre excursion comprend un voyage en bateau à la base des chutes sur le «Maid of the Mist». Allez aussi à Queenston Heights, où vous sera servi un délicieux déjeuner au restaurant Queenston Heights, qui surplombe la magnifique rivière Niagara et les luxuriantes terres agricoles de la zone fruitière du Niagara. Il y a tant de choses à faire et à voir dans la région de Niagara. Vous serez assurés de passer une journée merveilleuse! Pour acheter vos billets, retournez le formulaire ci-joint dûment rempli à Toronto Tours. Cette visite doit être réservée à l'avance.

VEUILLEZ REMPLIR LE FORMULAIRE D'INSCRIPTION CI-JOINT POUR LES VISITES FACULTATIVES INDIQUÉES CI-HAUT ET LE RETOURNER À :

Toronto Tours Limited
134, rue Jarvis
Toronto (Ontario) M5B 2B5 Canada
Attention : Craig Nicholl, coordonnateur des visites guidées pour la FCM

6. (c.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 March 28

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: Use of the name "Hamilton" - The Greater Hamilton Chinese Dragon Boat Race Society

RECOMMENDATION:

That City Council consent to the use of the name "Hamilton" in the proposed incorporation of the name "The Greater Hamilton Chinese Dragon Boat Race Society".

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The Greater Hamilton Chinese Dragon Boat Race Society is requesting City Council authorization to use the name "Hamilton" for the purpose of incorporation.

The first Chinese Dragon Boat Races for the Hamilton area were held at the Greater Hamilton Aquafest Festival in 1994. Public support for this event has been significant and for this reason the Race Committee has decided to continue this Regatta event on an annual basis. The Race Committee has commenced its registration process for incorporation, but requires the permission of the City of Hamilton to use its name to complete its application.

It has been confirmed that the term "Greater Hamilton" is not a legal name, but rather a trade/marketing name, and thus it is the purvue of the City to allow the use of the name "Hamilton".

7. (a.)

CITY OF HAMILTON

- RECOMMENDATION -

MAR 27 1995

DATE: 1995 March 27

REPORT TO: Susan Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Confirmation of Sale of land to Corrine and John Martin at corner of Stone Church Road and DiCenzo Drive

RECOMMENDATION:

That the sale of vacant land at the corner of Stone Church Road and DiCenzo Drive to Corrine and John Martin (purchasers) conditionally authorized by Council at its meeting of 1995 January 10, (Item 6 of the 2nd Report of the Finance and Administration Committee), -- conditional upon fulfilling the new real property sale requirements in the Municipal Act, be confirmed pursuant to the City's new Real Property Sales Procedural By-law No. 95-049, enacted on 1995 January 31, as follows:

a) the said land intended to be sold to the said purchasers has been declared surplus to the requirements of the City;

b) satisfactory Notice to the public of the intended sale has been given pursuant to the provisions of the above Real Property Sales Procedural By-law;

c) an appraisal of the fair market value of the real property intended to be sold was obtained on the 14 day of March 1995;

d) That the City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed by Section 193 of the Municipal Act;

e) the said conditional Council resolution on the sale to Corrine and John Martin, be amended by deleting said condition being Item 6 (a)(v) of the 2nd Report of the Finance and Administration Committee approved by City Council on 1995 January 10, and that the City Clerk be directed to notify the purchasers of the removal of such condition and this authorization of the said sale of real property.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The above mentioned real property sale could not be approved by Council until after the enactment of, and compliance with, the Real Property Sales Procedural By-law, 95-049, that was enacted by Council on 1995 January 31.

BACKGROUND:

At its meeting of 1995 January 10, approval to this land sale was given by City Council conditional on enactment of a Real Property Sales Procedural By-law and compliance of this sale with the new by-law.

In compliance with the Real Property Sales Procedural By-law No. 95-049, I am reporting to your Committee,

a) On 1995 March 14, City Council approved Item 6 of the 8th Report of the Planning and Development Committee declaring the subject lands surplus to the requirements of the City;

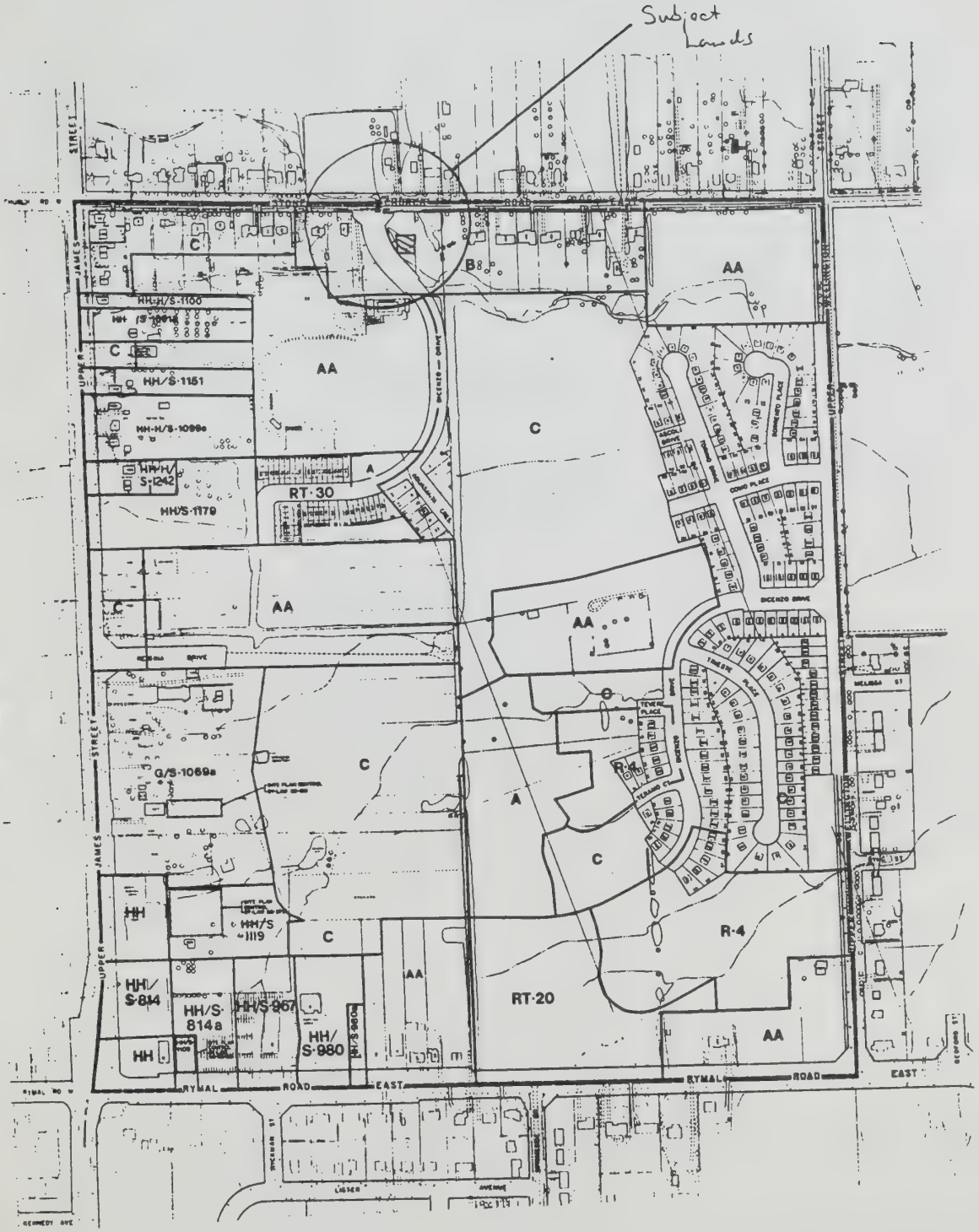
b) that in accordance with the approved methods of Notice to the Public in Real Property Sales Procedural By-law 95-049, the Director of Property has placed a "For Sale" sign on the subject property which included the City's name and telephone number on the 27 day of March 1995, to inform the public that the City intends to sell the said subject land;

c) the sale of the subject lands falls within the range of value which has been determined through an appraisal of the subject's fair market value.

Based on the foregoing matters in compliance with the Real Property Sales Procedural By-law, it is recommended above that the City's sale to the purchasers be confirmed.

KN/nw

c.c. P. Noé Johnson, City Solicitor
C. Bandurka, Property Clerk, Surveys



86	82	33
101	119	8
83	6	24

This is not a Legal Document
For Zoning Verification Please
Contact City Building Department.

CITY OF HAMILTON

RYCKMANS

ZONING

Neighbourhood Boundary
Zoning Boundary

SCALE 0 100m

NORTH

Prepared for The City of Hamilton
by the Planning and Development Department
of The Regional Municipality of Hamilton - Wentworth

PLOTTED UNIT NO. 7508

PAGE NO. 119

7. (b.)

CITY OF HAMILTON

- RECOMMENDATION -

MAR 2 7 1995

DATE: 1995 March 23

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Canadian Polish Congress
Request for Display Area at City Hall

RECOMMENDATION:

That the Canadian Polish Congress be permitted to mount a display of Polish heritage artifacts (to be contained within a wooden/glass display case), on the first floor of City Hall at the pleasure of City Council in accordance with the City's "Policy on the Acquisition and Display of Plaques, Posters, Memorabilia and Awards in City Hall".

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Mr. Zdzislaw Kata of the Polish Symphonia Choir has requested on the behalf of the Canadian Polish Congress that Polish heritage artifacts be permitted to be displayed in City Hall.

In the past, City Hall has been the host to a variety of heritage displays. Presently, perhaps one of the most significant displays is the Ukrainian folk art display located on the first floor of City Hall. The Polish Congress would like to share their Polish heritage with the people of Hamilton, as well as other visitors to the City and to City Hall.

A display case of solid oak and glass (72" x 24" x 86") has been designed and built by the Canadian Polish Congress at their own expense (a photocopy of the case is attached). The Property Department, in conjunction with Ms. Cheryl York of the Culture & Recreation Department is proposing that the display case be positioned on the south wall in the main foyer, approximately 7 feet east of the rear doorway leading to the elevators; west of the doorway is the Ukrainian folk art display which is also housed in an oak case. The display case presently occupying the area will be moved further east to the wall located between the public telephones and the offices of the First Attendance Facility (see attached First Level Floor Plan). The Canadian Polish Congress' oak display case, if positioned on the proposed subject wall, would offer a complimenting balance to the area space.

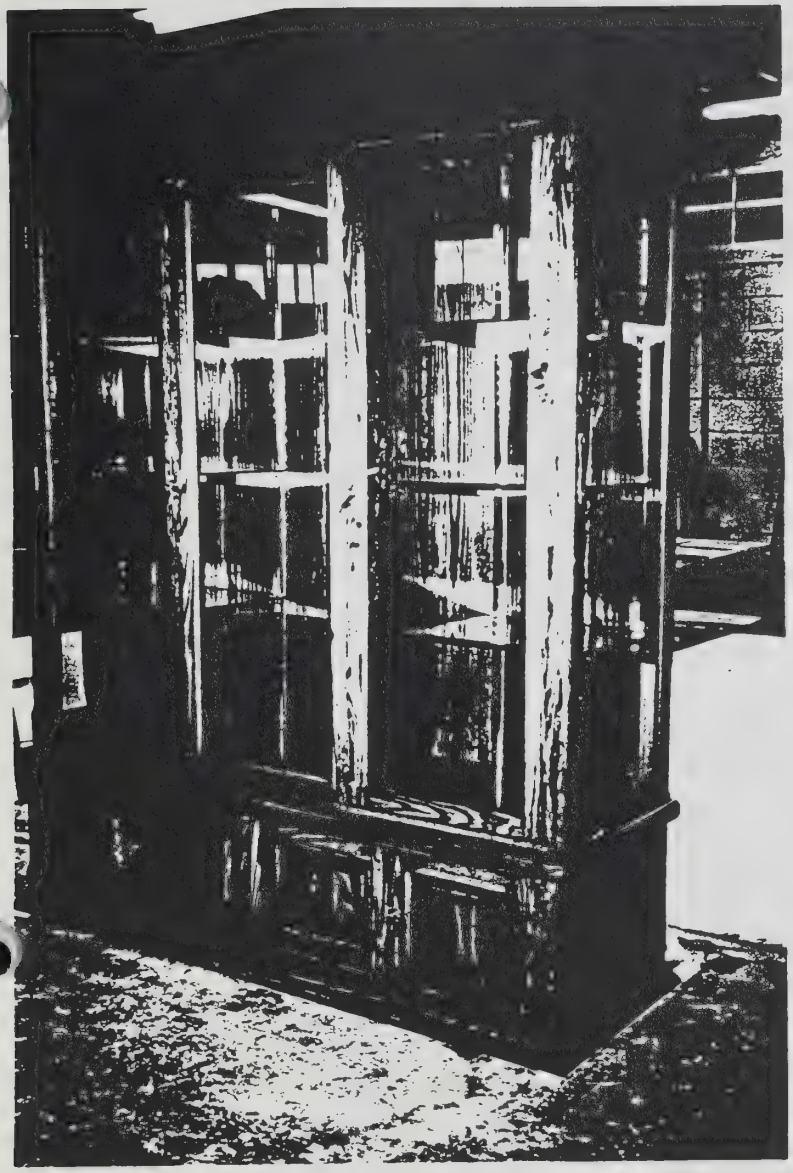
In accordance with the "Policy on the Acquisition and Display of Plaques, Posters, Memorabilia and Awards in City Hall" (approved May, 1993), the Canadian Polish Congress will be solely responsible for the maintenance and security of the display case and its contents, and the City is in no way to be held responsible for any replacement of memorabilia as a result of vandalism and/or theft.

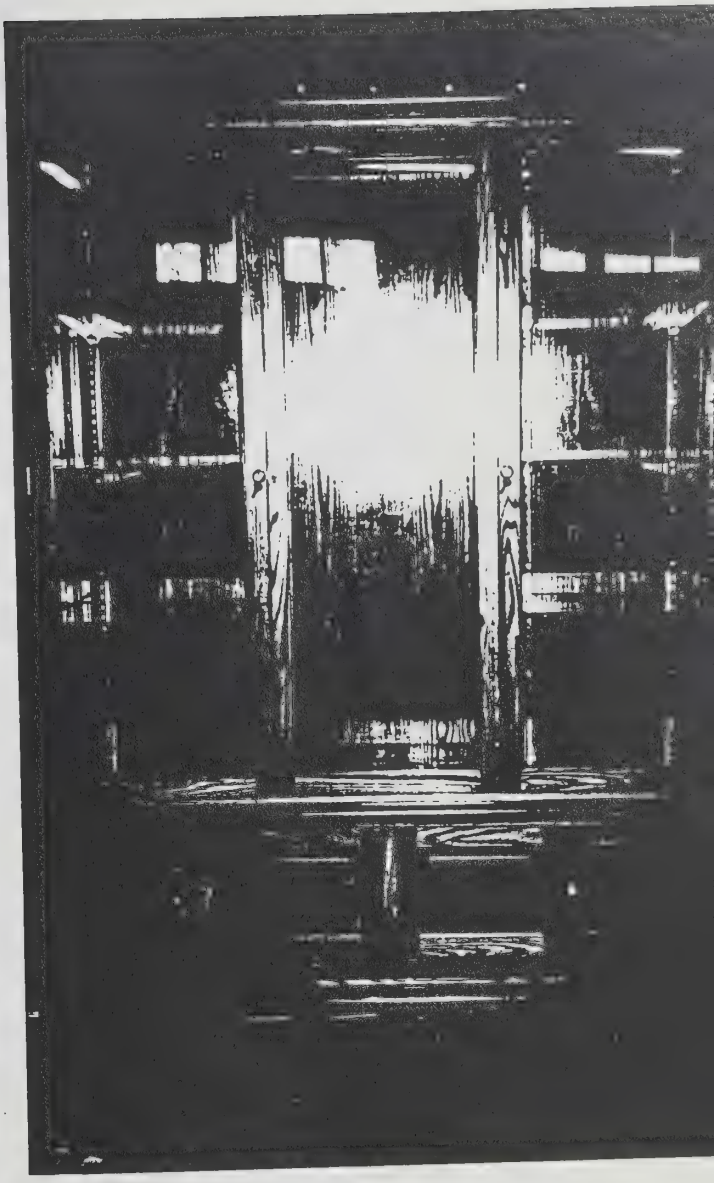
/dcr
attchs.

c.c. Robert M. Morrow, Mayor

C. York, Arts Co-ordinator, Culture & Recreation Department

R. Swan, Manager, Building Operations & Maintenance Division, Property Department





Ukrainian Oak Display Case

Proposed placement of Canadian Polish Congress Oak Display Case

Other Display Case

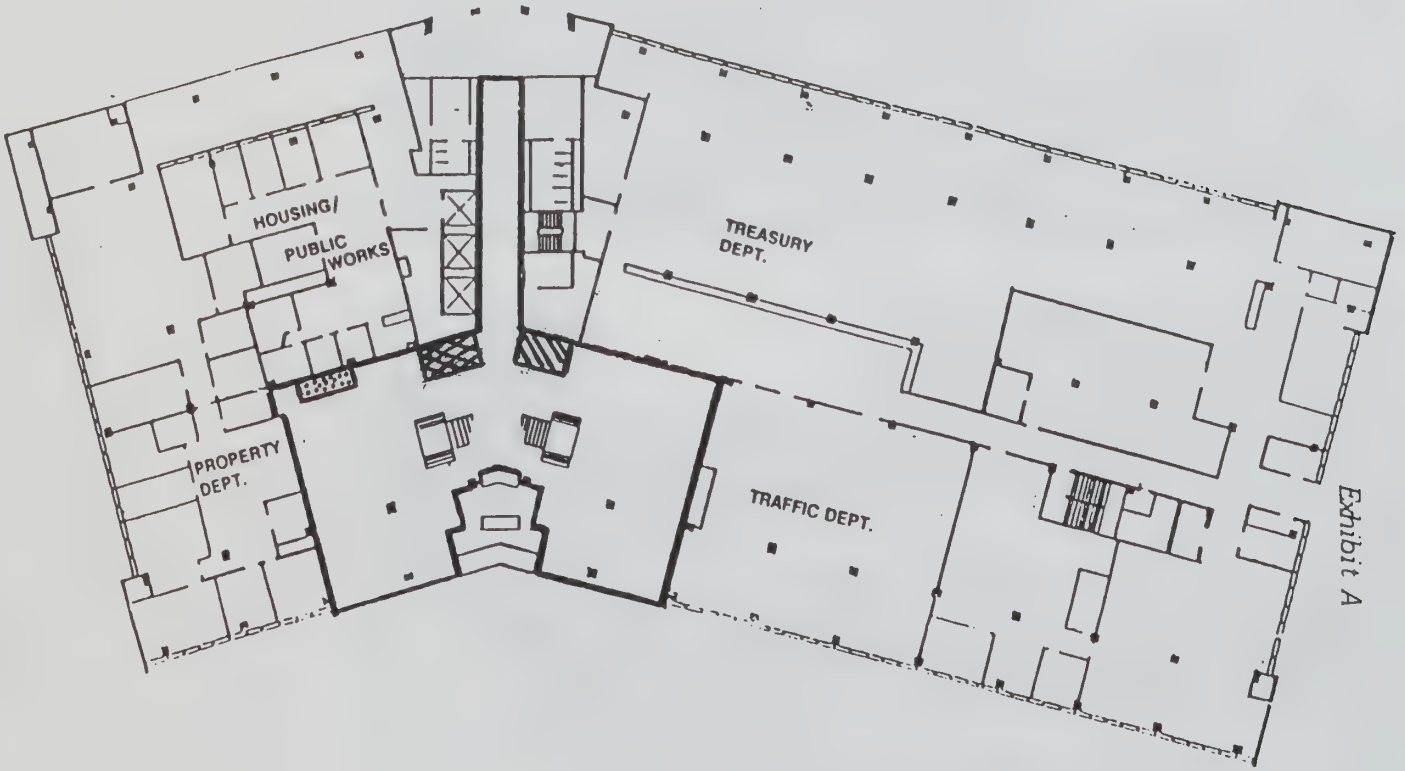


Exhibit A

FIRST LEVEL FLOOR PLAN

0 5 10 20 30

Chór Symfonia No. 291
Związku Śpiewaków Polskich w Ameryce
1015 Barton St. E.
Hamilton, Ontario
L8L 3C8



Symphonia Choir No. 291
Polish Singers Alliance of America
1015 Barton St. E.
Hamilton, Ontario
L8L 3C8

JUN 2 1992

May 30,1992

To His Worship, Mayor Bob Morrow
The City of Hamilton

Dear Mayor Morrow,

We, the Polish "Symfonia" Choir have a request.

Encouraged by Hamilton'featuring artifacts from its contributing heritage at City Hall, we would like to include Polish heritage.

We, the People who Fenixed Warsaw from the the ashes from Werld War II, we shaped face through John Paul II, created a role model with our May 3 Constitution and ... also talked the Mayor & Mrs Morrow into performing at our Gala Concert, believe we should be represented at City Hall.

We realize that possibly through our neglect we have never had a display, but at this time we would like to have Your permission to put one at City Hall.

Your sincerly Polish "Symfonia" Choir

President
Zdzisław KATA

Telephone to contact:
Work: 529-1878
Home:561- 1835

FOUNDED IN 1951
SYMFONIA
CHOIR of HAMILTON
CANADA

4 Solidarnosc Place, Hamilton, Ontario L8L 2V3
Tel. (905) 561-1835

Member of Polish Singers
Alliance of America

The Corporation of the City
of Hamilton - Director of
Property
D.W.Vyce

25 January, 95

Dear Sirs,

Canadian Polish Congress is proud to annouce that Polish Display Case can be shortly present to you for acceptance.

Because the case is under the process of finishing we can so far send you the mesurement and description of the case.

The case is made of solid oak and glass. We are possitive that you are going to like it and accept it.

We would like to change the exposition twice a year to show Hamiltonians the treasure of Polish achievement in science and culture.

We think that Polish Display case wiil bring a lot of dignity and splendor to our City Hall.

Thank you for your possitive approach.

PROPERTY DEPARTMENT
Date Jan. 26 | 95

File No.	Inf.	Act
✓ Director		
Admin Asst. to D...		
Real Estate Div.		
Archi... Div.		
Bldg. Op. & M...		
Prop. Admin. Asst.		
Admin. Staff		

Display Case Commeettee
President

Zdzislaw Kata

Urban/Municipal Librarian
Hamilton Public Library
2nd Floor

NOTICE OF MEETING

FINANCE AND ADMINISTRATION COMMITTEE

URBAN MUNICIPAL
APR 18 1995
GOVERNMENT DOCUMENTS

Tuesday, 1995 April 18th
1:30 o'clock p.m.
Room 233, City Hall

Susan K. Reeder.

Susan K. Reeder, Secretary
Finance and Administration Committee

AGENDA

1. **CONSENT AGENDA**

2. **CHIEF ADMINISTRATIVE OFFICER**

   Civic Reception - Hamilton International Air Show (tabled from previous meeting)

3. **ASSOCIATION OF MUNICIPALITIES OF ONTARIO**

   Request for the City to support its six-part strategy for reform entitled "Better Government, Lower Cost: the New Municipal Mandate"

4. **TREASURER**

   Ontario Municipal Board Hearing - 986 - 998 Upper Wentworth Street

5. **REFERRAL FROM CITY COUNCIL**

   Adult Videos in Convenience Stores

6. **DIRECTOR OF PUBLIC WORKS**

   Appointment of a Committee to select Street Vendors

7. **CITY SOLICITOR**

   (a) Quit Claim - rear of 449 John Street North

   (b) Quit Claim Deed to National Steel Car Limited - 602 Kenilworth Avenue North

8. **CITY CLERK**

   (a) Amendments to Procedural By-law No. 82-203

   (b) Request from The Spectator on behalf of the Hamilton Psychiatric Hospital to purchase an advertisement (message)

9. **OTHER BUSINESS**

10. **ADJOURNMENT**

1.0

CONSENT AGENDA

FINANCE AND ADMINISTRATION COMMITTEE
TUESDAY, 1995 APRIL 18TH

A. **MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE**

Minutes of the meeting held Tuesday, 1995 April 4th

B. **CITY CLERK**

Use of the City Council Chambers and Aldermen's Lounge - Office of the Umpire - 1995 May 1-5

C. **DIRECTOR OF PROPERTY**

(i) Mountain Arena Roof Replacement

(ii) Realty Sales Procedural By-law 95-049 - Declaration of Surplus Property

D. **TREASURER**

1995 Request for Subsidy Monies under The Public Transportation and Highway Improvment Act

E. **COMMISSIONER OF HUMAN RESOURCES**

Appointments To and Terminations From Permanent Positions

F. **SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE**

Information Items

Tuesday, 1995 April 4
1:30 o'clock p.m.
Room 233, City Hall

The Finance and Administration Committee met.



There were present:	Alderman B. Charters, Chairman Mayor Robert M. Morrow Alderman D. Drury Alderman T. Anderson Alderman V. Agro Alderman D. Wilson Alderman M. Kiss Alderman D. Agostino
Regrets:	Alderman D. Ross, Vice-Chairman - Other Business
Also present:	Alderman M. Caplan Alderman H. Merling J. Pavelka, Chief Administrative Officer T. Daw, Acting Treasurer J. Schatz, City Clerk D. Farquhar, Public Works Department R. Sabo, Law Department D. Lobo, Director of Public Works D. Vyce, Director of Property K. Beattie, Treasury Department Susan K. Reeder, Secretary

A G E N D A

1. **DELEGATION - Theatre Aquarius - Request for City's support - Private Members' Bill - Tax Exemption**

The Committee heard from Mr. Jim Scarfone, Solicitor, on behalf of Theatre Aquarius. Shirley Elford, President of Theatre Aquarius, Board of Directors, Pamela Lakin. Interim Manager of Theatre Aquarius and Jim Morreale, Member of the Board of Directors of Theatre Aquarius were also in attendance at the meeting.

Mr. Scarfone made a presentation to the Committee with respect to the request for the City's support in applying for a Private Member's Bill for the elimination of municipal taxes and tax arrears on the Theatre property.

In this regard, the Committee had been forwarded a brief prior to the meeting outlining the Theatre's reasons for the request.

The Committee was also in receipt of a Joint Report from the City Solicitor and Treasurer dated 1995 March 29, respecting this matter.

The Committee then discussed this matter at great length, and the Committee approved the staff recommendation as follows:

(a) That the request on behalf of Theatre Aquarius for the City's support for a Private Member's Bill for elimination of municipal taxes and tax arrears on their Theatre property, be received; and,

(b) That staff be directed to prepare a report to the Finance and Administration Committee regarding this request.

2. **Street Vendors Program**

The Committee heard from a Delegation of Tom and Cindy Anderson respecting the proposed Bidding Policy for the Street Vendors Program. Also in attendance on this matter were Troy DeSousa and Paul Reardon, Street Vendors, who also spoke to the Committee respecting this matter.

Both of these gentlemen indicated that they have been operating in their existing Street Vendor locations for a number of years, and are of the opinion that they should be given the courtesy of a grandfathered term for either the next 3 years, or until such time as they choose not to operate any longer as a reflection of their good will in entering into this type of operation at its outset.

The Committee was in receipt of correspondence from Tom and Cindy Anderson dated 1995 March 21, respecting their concerns.

The Committee was also in receipt of correspondence from the Director of Operations/Events Delivery, HECFI, dated 1995 March 29 respecting the 2 licenced vending cart locations in front of the main entrance to Copps Coliseum. In this regard, Alderman Anderson indicated that the HECFI Board is concerned at the infringement to pedestrian movement that these vender carts cause when there are large crowds attending an event at Copps Coliseum. With regard to this concern, staff indicated that this matter can be addressed through the tendering process.

Further discussion also ensued with respect to the direction of the Committee regarding those Street Vendors that presently have operated locations and whether they should be included in the tendering bidding process for the new program.

In this regard a motion was placed to table the report, in order that the Committee could look at the 1994 April report, which recommended that the original locations be included in the tendering process of the new program. **MOTION LOST**

The Committee then moved the following amended recommendation to give first right of refusal to those Vendors who operated Street Vendor locations during 1994 for a grandfathered 3 year term, subject to the new criteria within the Street Vendors Program. As well, the amendment would direct that the Director of Public Works be directed to compile a proposed fee schedule for Street Vendor locations being grandfathered based on use and traffic for the consideration of the Finance and Administration Committee.

(a) That a first right of refusal be offered to those vendors who operated street vendor locations during 1994 for a grandfathered three year term, subject to the new criteria within the Street Vendors Program; and,

(b) That those sites identified in the Schedule, attached herewith and marked Appendix "A" be approved as Street Vendor locations; and,

(c) That the Director of Public Works be authorized to proceed with a Request for Proposals to solicit street vendors for approved locations as outlined in Appendix "A" herewith attached, for a term of three years; and,

(d) That the Schedule attached herewith and marked Appendix "B", outlining the evaluation criteria which will be used in the Request for Proposals package be approved; and,

(e) That the Director of Public Works be directed to compile a proposed fee schedule for street vendor locations being grandfathered, based on use and traffic for the consideration of the Finance and Administration Committee; and,

(f) That a five member Street Vendor Selection Committee be appointed.

MOTION CARRIED

Note: Alderman Anderson opposed.

4. CONSENT AGENDA

The Committee was in receipt of its Consent Agenda and approved the following:

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

The Committee was in receipt of the minutes of its regular meeting held on Tuesday, 1995 March 21, and approved these minutes as circulated.

B. CITY CLERK

(i) **Display of Artifacts from turn-of-the-century Cathedral Park Landfill Site - Second Floor Foyer - (West End), City Hall**

The Committee was in receipt of a report from the City Clerk dated 1995 March 21, respecting the above noted matter and approved the following:

That approval be given to the actions taken by the City Clerk in authorizing the Ontario Archaeological Society, Hamilton Chapter, to use the Second Floor Foyer (West End) for the display of artifacts recovered from the turn-of-the century Cathedral Park Landfill Site, from Tuesday, 1995 March 21 until Tuesday, 1995 September 5.

(ii) **Use of City Hall Forecourt - Hamilton-Wentworth Regional Cycling Committee**

The Committee was in receipt of a report from the City Clerk dated 1995 March 27, respecting the above noted matter and approved the following:

(a) That approval be given to the Hamilton-Wentworth Regional Cycling Committee for the use of the City Hall Forecourt on Wednesday, 1995 May 17 between the hours of 6:30 o'clock a.m. to 8:30 o'clock a.m. for the serving of breakfast to bicyclists in promotion of "Bike to Work Week"; and,

(b) That the City Clerk be authorized to approve similar use in future years provided it does not interfere with any other activity.

(iii) **Use of the City Hall Parking Lot - Cathedral High School (Boys) Basketball Tournament**

The Committee was in receipt of a report from the City Clerk dated 1995 March 23, respecting the above noted matter and approved the following:

(a) That approval be given to Cathedral High School (Boys) for the use of the City Hall Parking Lot (East Side) on Sunday, 1995 July 23 between the hours of 8:00 o'clock a.m. to 4:00 o'clock p.m. for a Basketball Tournament (3 on 3), subject to the requirements of the Parking Authority; and,

(b) That the City Clerk be authorized to approve similar use in future years provided it does not interfere with any other activity.

(iv) **Use of City Hall forecourt - "People in Partnership '95" - Kick-Off Ceremony and Walk-a-thon - 1995 Sunday, June 11**

The Committee was in receipt of a report from the City Clerk dated 1995 March 24, respecting the above noted matter and approved the following:

(a) That approval be given to United Disabled Consumers and the Good Shepherd Centres to use the City Hall Forecourt on Sunday, 1995 June 11 between the hours of 8:00 o'clock a.m. to 10:30 o'clock a.m. for a "Kick Off" ceremony and registration for "People in Partnership '95" walk-a-thon; and,

(b) That the City Clerk be authorized to approve similar use in future years provided it does not interfere with any other activity.

(v) Use of the Second Floor Foyer - Fundraiser - Juvenile Diabetes Foundation of Canada - 1995 Friday June 23rd

The Committee was in receipt of a report from the City Clerk dated 1995 March 27, respecting the above noted matter and approved the following:

(a) That approval be given to the Juvenile Diabetes Foundation of Canada to use the Second Floor Foyer for the set up of a Stationary Bike for a fundraising event on Friday, 1995 June 23 between the hours of 8:30 o'clock a.m. to 4:30 o'clock p.m.; and,

(b) That the City Clerk be granted authority to approve similar use in future years provided it does not interfere with any other activity.

(vi) Use of City Hall Council Chambers - Lawfield Minor Hockey - Wednesday, 1995 March 22

The Committee was in receipt of a report from the City Clerk dated 1995 March 28, respecting the above noted matter and approved the following:

That approval be given to the action taken by the City Clerk in authorizing Lawfield Minor Hockey to use the City Council Chambers on Wednesday, 1995 March 22 between the hours of 7:00 o'clock p.m. to 9:00 o'clock p.m. for a meeting.

C. DIRECTOR OF PROPERTY - Contract Award - Window Cleaning

The Committee was in receipt of a report from the Director of Property dated 1995 March 20, respecting the above noted matter and approved the following:

That the City exercise its option and issue a purchase order to A-Skylight Window Cleaning Company (1988) Ltd., Hamilton in the amount of $13,561.68 plus ($949.32) G.S.T. to clean the interior and exterior windows of City Hall, the City Hall Garage, the Football Hall of Fame, and the exterior marble at City Hall during 1995, this being the lowest tender received in accordance with the specifications issued by the Manager of Purchasing.

D. TASK FORCE TO REVIEW LOCAL LABOUR CONTENT IN CONTRACTS - Request for a two month extension

The Committee was in receipt of a report from Alderman Drury, Chairman of the Task Force to Review Local Labour Content in Contracts, requesting a two month extension. In this regard, the Committee approved the following:

That the Task Force to Review Local Labour Content in Contracts be given a two month period extension to report back to the Finance and Administration Committee at its 1995 June 20th meeting.

E. CITY SOLICITOR

(i) Quit Claim - rear of 499 John Street North

The Committee was in receipt of a report from the City Solicitor dated 1995 March 27, respecting the above noted matter and approved the following:

That the City quit claim and release a parcel of land measuring about 2 feet by 26 feet (Part 6, Plan 62R-8773) at the rear of 499 John Street North to George and Nancy Sterling, the current owners of 499 John Street North.

(ii) Debenture By-law - Capital Projects - 1994

The Committee was in receipt of a report from the City Solicitor dated 1995 March 30, respecting the above noted matter.

The Committee directed that the Debenture By-law, attached to the report, be forwarded to City Council for enactment.

F. DIRECTOR OF PUBLIC WORKS

(i) Purchase of Six (6) Mid-Size Passenger Sedans, City Garage

The Committee was in receipt of a report from the Director of Public Works dated 1995 March 27, respecting the above noted matter and approved the following:

> That a purchase order be issued to Weiland Ford Sales, Kitchener, in the amount of $129,540.60, all applicable taxes included, for the purchase of Six (6) Mid-Size Passenger Sedans for City Garage, being the lowest of seven tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X501 00101.

(ii) Purchase of Twenty-one (21) Compact Cars, City Garage

The Committee was in receipt of a report from the Director of Public Works dated 1995 March 27, respecting the above noted matter and approved the following:

> That a purchase order be issued to Queenston Chev Olds, Hamilton, in the amount of $313,153.05, all applicable taxes included, for the purchase of Twenty-one (21) Compact Cars for City Garage, being the lowest of seven tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X501 00101.

(iii) Purchase of Three (3) Compact Pick-up Trucks, City Garage

The Committee was in receipt of a report from the Director of Public Works dated 1995 March 27, respecting the above noted matter and approved the following:

> That a purchase order be issued to Weiland Ford Sales, Kitchener, in the amount of $58,839.75, all applicable taxes included, for the purchase of Three (3) Compact Pick-up Trucks for City Garage, being the lowest of eleven tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X501 00101.

(iv) Purchase of Seven (7) Mid-Size Passenger Sedans, City Garage

The Committee was in receipt of a report from the Director of Public Works dated 1995 March 27, respecting the above noted matter and approved the following:

> That a purchase order be issued to Weiland Ford Sales, Kitchener, in the amount of $144,135.23, all applicable taxes included, for the purchase of Seven (7) Mid-Size Passenger Sedans for City Garage, being the lowest of seven tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X501 00101.

G. TREASURER - Funding - Construction of Independent Concrete Sidewalks on Stone Church Road between Upper Gage Avenue and Upper Wentworth Street

The Committee was in receipt of a report from the Treasurer dated 1995 March 31, respecting the above noted matter and approved the following:

That the City Solicitor be authorized to prepare an appropriate By-Law to construct an independent concrete sidewalk on the north side of Stone Church Road from Upper Gage Avenue to approximately 61 m west of Rambo Street (east limit of #749 Stone Church Road); from approximately 107 m west of Rambo Street to approximately 222 m west of Upper Sherman Avenue; from approximately 383 m west of Upper Sherman Avenue to approximately 26 m westerly (Hydro property) and on the south side of Stone Church Road from Upper Gage Avenue to approximately 83 m westerly (east limit of 41 Epic Place); from Leaway Avenue to Eleanor Avenue; and, from approximately 37 m west of Eleanor Avenue to approximately 30 m east of Ridgemount Drive under the Local Improvement Act at an estimated cost of $263,620. with a City's share of $41,528. to be financed from the 1995 Capital Levy (Account Centre No. CH 22002) and the balance of $222,092. being the Owner's share to be financed by the issuance of debentures for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of $222,092. for a term not to exceed 20 years for the above project.

H. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE - Information Items

The Committee was in receipt of a report from the Secretary of the Finance and Administration Committee dated 1995 March 31, regarding Information Items. The Committee approved the following:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Correspondence - Kim Zwep, 7 Norma Crescent, Ancaster - display of adult videos in variety stores

(b) Correspondence - Renate Manthei, Director, Women's Centre of Hamilton-Wentworth - display of adult videos in variety stores

(c) Correspondence - Shari Fluit, 298 Southcote Road, Ancaster - display of adult videos in variety stores

(d) Correspondence - Tammy Koens, 6380 Airport Road East, Mount Hope - display of adult videos in variety stores

(e) Correspondence - Curtis Visser, 129 Lloyminn Avenue, Ancaster - display of adult videos in variety stores

(f) Correspondence - Jennifer Lise, 149 McClung Road, Caledonia - display of videos in variety stores

(g) Information Report- Treasurer - Status of Hosting, Receptions and Related Accounts as at 1994 December 31

(h) Information Report - Treasurer - Status of Unclassified Revenue and Expenditures as at 1994 December 31

3. IN CAMERA AGENDA

The Committee moved In Camera to discuss matters of a Private and Confidential nature.

The Committee then moved back into Regular Session.

5. MAYOR ROBERT M. MORROW - Federation of Canadian Municipalities - National Packaging Protocol (NAPP)

The Committee was in receipt of a report from the Mayor dated 1995 March 20, respecting the above noted matter.

The Committee approved the following:

That the Federal Minister of the Environment and the Federation of Canadian Municipalities be advised that Hamilton City Council endorses the National Packaging Protocol (NAPP) programme and supports the FCM Resolution, herewith attached and marked Appendix "C".

6. CITY CLERK

(a) Display of Adult Videos - Amendments to the Adult Video By-law

The Committee was in receipt of a report from the City Clerk dated 1995 March 28, respecting the above noted matter.

The Committee approved the following:

(a) That City of Hamilton By-law No. 93-045, respecting the regulating and governing of Adult Videos, and for regulating Video Stores in which Adult Videos are provided, be amended to provide for the following:

(i) (1) A Class A Licence for persons being in the business of operating an Adult Video Store; and,

(2) A Class B Licence for persons operating a business where Adult Videos are 20% or less of the video stock offered for sale or rent;

(ii) The designated area within a Class B Licence to be equipped with a self closing full-length door; and,

(iii) All Adult Video covers or jackets, which contain specified body areas or specified sexual activities as defined in the By-law, to be covered by an opaque cover when being transported from the designated area of a Class B Licence to the Cashier; and,

(iv) (1) The number of Adult Videos, permitted as an incidental use in a Class B Business, to be restricted to not more than 20% of the total number of regular videos available; and,

(2) The Operators of all Class B Outlets be required to keep on file a list and number of all videos available and a list and number of all Adult Videos available; and,

(v) The fee for either class of Adult Video Licence be $150.; and,

(vi) Reduction in the number of licences to four and removing two locations; and,

(vii) A hearing for the denial of a licence in accordance with Bill 198, a Provincial Act to amend the Liquor Licence Act, the Municipal Act, the Regional Municipalities Act and certain other statutes related to Upper Tier Municipalities; and,

(b) That the City Solicitor be authorized to prepare the appropriate By-law to amend By-law 93-045, accordingly.

(b) 1995 F.C.M. Annual Conference - 1995 June 9 - 12, Toronto

The Committee was in receipt of a report from the City Clerk dated 1995 March 27, respecting the above noted matter and approved the following:

That the Mayor and a maximum of six (6) Aldermen be authorized to attend the 58th Annual Conference of the Federation of Canadian Municipalities to be held in Toronto, Ontario on 1995 June 9 - 12.

(c) Use of the name "Hamilton" - The Greater Hamilton Chinese Dragon Boat Race Society.

The Committee was in receipt of a report from the City Clerk dated 1995 March 28, respecting the above noted matter and approved the following:

That City Council consent to the use of the name "Hamilton" in the proposed incorporation of the name "The Greater Hamilton Chinese Dragon Boat Race Society".

7. DIRECTOR OF PROPERTY

(a) Confirmation of Sale of land to Corrine and John Martin at corner of Stone Church Road and DiCenzo Drive

The Committee was in receipt of a report from the Director of Property dated 1995 March 27, respecting the above noted matter and approved the following:

That the sale of vacant land at the corner of Stone Church Road and DiCenzo Drive to Corrine and John Martin (purchasers) conditionally authorized by Council at its meeting of 1995 January 10, (Section 6 of the Second Report of the Finance and Administration Committee), -- conditional upon fulfilling the new real property sale requirements in the Municipal Act, be confirmed pursuant to the City's new Real Property Sales Procedural By-law No. 95-049, enacted on 1995 January 31, as follows:

(a) The said land intended to be sold to the said purchasers has been declared surplus to the requirements of the City; and,

(b) Satisfactory Notice to the public of the intended sale has been given pursuant to the provisions of the above Real Property Sales Procedural By-law; and,

(c) An appraisal of the fair market value of the real property intended to be sold was obtained on the 14 day of March 1995; and,

(d) That the City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed by Section 193 of the Municipal Act; and,

(e) The said conditional Council resolution on the sale to Corrine and John Martin, be amended by deleting said condition being Section 6 (a)(v) of the Second Report of the Finance and Administration Committee approved by City Council on 1995 January 10, and that the City Clerk be directed to notify the purchasers of the removal of such condition and this authorization of the said sale of real property.

(b) Canadian Polish Congress - Request for Display Area at City Hall

The Committee was in receipt of a report from the Director of Property dated 1995 March 23, respecting the above noted matter and approved the following:

That the Canadian Polish Congress be permitted to mount a display of Polish Heritage Artifacts (to be contained within a wooden/glass display case), on the first floor of City Hall at the pleasure of City Council in accordance with the City's "Policy on the Acquisition and Display of Plaques, Posters, Memorabilia and Awards in City Hall".

9. ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder
Secretary
1995 April 4

/dbm

Appendix "A" referred to in Section 1(a) of the **ELEVENTH** Report of the Finance and Administration Committee for 1995.

STREET VENDING LOCATIONS

* South-east corner of Bay at York Street (Copps Coliseum)
* North-east corner of King Street East and Catharine Street
* North side of King Street East, east of James Street
* East side of Bay Street, south of York Street (Copps Coliseum)
* South side of York Street at the entrance to the Farmers Market
In front of Jarvis Square, near Clock Tower, King Street East
Northeast corner Ferguson Avenue and King Street East
Southeast corner Catharine and King Street East
Southwest corner John and King Street East
* Southwest corner James Street and King Street West
* Stelco Tower (north side King Street West)
* City Hall forecourt
* Courthouse (between Hughson and John Street South)
Victoria Avenue North and Barton Street East northwest corner
James Street North and Wilson northeast corner
James Street South and King Street southeast corner (Royal Bank)
Forest Avenue and James Street South southeast corner
Mountain Park Avenue (along the brow behind Henderson Hospital)

<u>Park Locations</u>

Gage
Dundurn
Gore - (no food or beverage carts)
Pier 4 (4 vendors)
Harbourfront (4 vendors)

Note: Locations marked * will be available to tender only if operator in 1994 does not continue for the next three year term.

Appendix "B" referred to in Section 1(d) of the ELEVENTH Report of the Finance and Administration Committee for 1995.

EVALUATION CRITERIA

1. Quality of Proposal

   - completeness of Proposal Form;
   - professionalism; and
   - complies with submission instructions.

2. The fee for right to sell at site.

3. Capacity to perform

   - financial capacity;
   - related experience;
   - knowledge of local market conditions;
   - ability to comply with City Insurance Standards and all licences and permits;
   - appropriateness of the goods proposed to be sold in relationship to adjacent businesses or other street vendors; and
   - bidder's proposal (goods or food to be sold) does not conflict with adjacent businesses within 300 feet.

4. Location Standards

   - bidder's consideration to public safety, vehicular safety and commercial ambience of the street; and
   - creation of a map designating proposed vending location within selected site.

5. - types of goods sold and suggested prices.

6. Operational Plan

   - proposed daily service hours.

7. Uniform Cart Designs

   - ability to meet specifications and guidelines for cart designs;
   - attractive to street;
   - colourful;
   - imaginative;
   - durable;
   - readily movable by Vendor;
   - food cart complies with all health regulations for products proposed for sale; and
   - photograph and/or conceptual drawing of the cart.

Appendix "C" referred to in Section 15 of the ELEVENTH Report of the Finance and Administration Committee for 1995.

NATIONAL PACKAGING PROTOCOL

WHEREAS Canada has a National Packaging Protocol designed to reduce packaging waste through voluntary measures and, if necessary, through regulation;

WHEREAS the Government of Canada is a signatory to the National Packaging Protocol (NAPP);

WHEREAS through NAPP, a 21% reduction in packaging waste was achieved through voluntary measures and governments, including municipal governments, and the private sector have already invested heavily in NAPP;

WHEREAS it is prudent to be in the forefront of environmental restrictions on packaging to ensure access to international markets;

WHEREAS Canada has the highest production of domestic waste per capita in the world and a disposal crisis threatens many areas of the country including all of Canada's big cities;

WHEREAS other countries have 50% less packaging waste than Canada and continue to reduce packaging waste;

WHEREAS concerted action through strong Federal leadership is required to address the complex and challenging waste management issues and to achieve a national strategy to reduce the amount of waste we produce in Canada;

WHEREAS NAPP was given the highest priority among environmental issues with the Federation of Canadian Municipalities (FCM);

BE IT RESOLVED that the Council of _____ urge the Federal Government to reaffirm its commitment to NAPP and the targets and policies of the Protocol;

BE IT FURTHER RESOLVED that the Council of _____ urge the Federal Government to recognize through NAPP the importance of environmentally friendly packaging for Canadian products and the Canadian economy.

B.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 4 April 1995

REPORT TO: Susan K. Reeder, Secretary
Finance & Administration Committee

FROM: J.J. Schatz
City Clerk

SUBJECT: Use of the City Council Chambers & Aldermen's Lounge - Office of the Umpire - 1995, May 1 - 5 (inclusive)

RECOMMENDATION:

That approval be given to the actions taken by the City Clerk in approving the use of the City Council Chambers and the Aldermen's Lounge on 1995 May 1 - 5 inclusive for Hearings before the Umpire (a Federal Court of Canada Judge), between the hours of 9:00 o'clock a.m. to 3:00 o'clock p.m. each day.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The Office of the Umpire (a Federal Court of Canada Judge) has requested the use of the City Hall Council Chambers for Hearings before the Umpire on May 1, 2, 3, 4, and 5, 1995, as well as the use of the Aldermen's Lounge as a retiring room for the Judge.

The Hearings are scheduled to begin promptly at 9:30 a.m. and it is anticipated that they will conclude at approximately 2:00 p.m. each day.

cc: Mayor's Office
Robert Swan, Manager of Building Operations & Maintenance Division

C. (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 April 7

APR 7 1995

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. D. W. Vyce
Director of Property

SUBJECT: Mountain Arena Roof Replacement

RECOMMENDATION:

1. a) That approval be given to issue a purchase order in the amount of $235,400. inclusive of G.S.T., ($15,400), to commission Solar Roofing and Sheet Metal Ltd. of Toronto, for the Replacement of the roof at the Mountain Arena, being the lowest price of seven quotes recieved in accordance with the specifications issued by the Mananger of Purchasing.

   b) As the re-roofing of Mt. Arena could take up to 12 weeks to complete, and that this project must commence on or about May 3/95 in order to facilitate a Lacrosse tournament that is scheduled to start on Aug. 1/95, and in order to meet this time line the selected Contractor must have a Purchase Order immediately so that he can place an order for the required materials. The above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy that states, "An order can be placed upon the approval of two of the following the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council.

   c) That the Mayor and City Clerk be authorized to execute a contract in a form satisfactory to the City Solicitor.

95.04.07

95.04.07

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

This project is to be financed through Capital Budget Funds, account # CF 3195 41005, Mt. Arena - Replacement of Roof.

BACKGROUND:

The Property Department identified that the roof system at Mt. Arena has surpassed it's life expectancy and requires replacement.

In January of 1995 C.G.A. Roof Consultants were retained by the Building Operations and Maintenance Division of the Property Department to develop a plan of action for the replacement of the roof at Mountain Arena. The plan was developed and specifications were created and this project was tendered March 16, 1995 and closed March 30, 1995.

There were thirteen (13) bids received, seven (7) were accepted and six (6) were disqualified.

	Total Contract Price
Solar Roofing & Sheet Metal Ltd, Toronto	235,400.00
Provincial Industrial Roofing & Sheet Metal Company Ltd, Concord	240,170.06
E-D Roofing Limited, Mississauga	255,304.14
Atlantic Roofers Ontario Ltd., Hamilton	256,800.00
Bertozzi Roofing & Sheet Metal Inc., Hamilton	280,507.79
Dufferin Roofing Ltd., Weston	297,298.43
Riddell Sheet Metal & Roofing Ltd., Hamilton	343,256.00

Disqualified Bids

Viana Roofing & Sheet Metal Ltd, Toronto	-	Addendum No. 1 not acknowledged
Whiteside Roofing & Sheet Metal Ltd., Hamilton	-	WCB Experience Rating not submitted
Trio Roofing Systems Inc., Etobicoke	-	WCB Experience Rating not submitted
Roque Roofing & Sheet Metal Ltd., Hamilton	-	WCB Experience Rating not submitted
Cordeiro Roofing Ltd., Etobicoke	-	WCB Experience Rating not submitted
Schreiber Brothers Ltd., Hamilton	-	WCB Experience Rating not submitted

DWV:ghl

cc: Patrice Noé Johnson, City Solicitor, Law Dept.
Allan Ross, City Treasurer, Treasury Department
Rob Swan, Manager Bldg. Operations & Maintenance
Alderman T. Anderson
Ross Fair, Director of Cul. & Rec.
Attention: W. Moffatt

CITY OF HAMILTON

- RECOMMENDATION -

C. (ii)

DATE: 1995 April 11

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Realty Sales Procedural By-law 95-049
Declaration of Surplus Property

RECOMMENDATION:

That the following properties be declared surplus to the requirements of the City in accordance with the Realty Sales Procedural By-law 95-049:

a) Parts 1, 3, 4 and 5 on Plan 62R-12941
Lake Avenue at Huckleberry Drive, Hamilton

b) Parts 1, 2, 3, 4 and 5 on Plan 62R-7697
Bow Valley, Hamilton

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

By-law 95-049 requires all City owned lands not exempted by Ontario Regulation 815/94 be declared surplus prior to sale.

BACKGROUND:

Effective 1995 January 1 the Municipal Act was amended by the Planning and Municipal Statute Law Amendment Act requiring municipalities to enact a by-law to establish procedures for the sale of real property owned by a municipality.

On 1995 February 14 City Council adopted Item 8 of the 5th Report of the Finance and Administration Committee and enacted the Realty Sales Procedure By-law 95-049. Section 5(a) of this by-law declares that "Real property of the City shall not be sold unless it is surplus to the requirements of the City."

The subject properties have not been circulated to City departments and associated boards and commissions as -

> Lake Avenue. On this property is found an existing Regional sewer line that has not been formally transferred from City ownership to Regional ownership. The subject lands comprise a 428.0 square metres (.105 acres) portion of a much larger area designated as Open Space along the Stoney Creek off Lake Avenue.
>
> Bow Valley Drive. On this property is found an existing watermain easement that has not been formally transferred from City ownership to Regional ownership. The subject lands comprise a 2,314 square metres (.57 acres) portion of a much larger area designated as Open Space along the Stoney Creek off Bow Valley Drive.

It is proposed to sell both parcels of land to the Region which will be the subject of a further report and documentation.

VDP/nw

c.c. Alderman D. Agostino, Alderman, Ward 5

Alderman Fred Eisenberger, Alderman, Ward 5

Joe Pavelka, Chief Administrative Officer

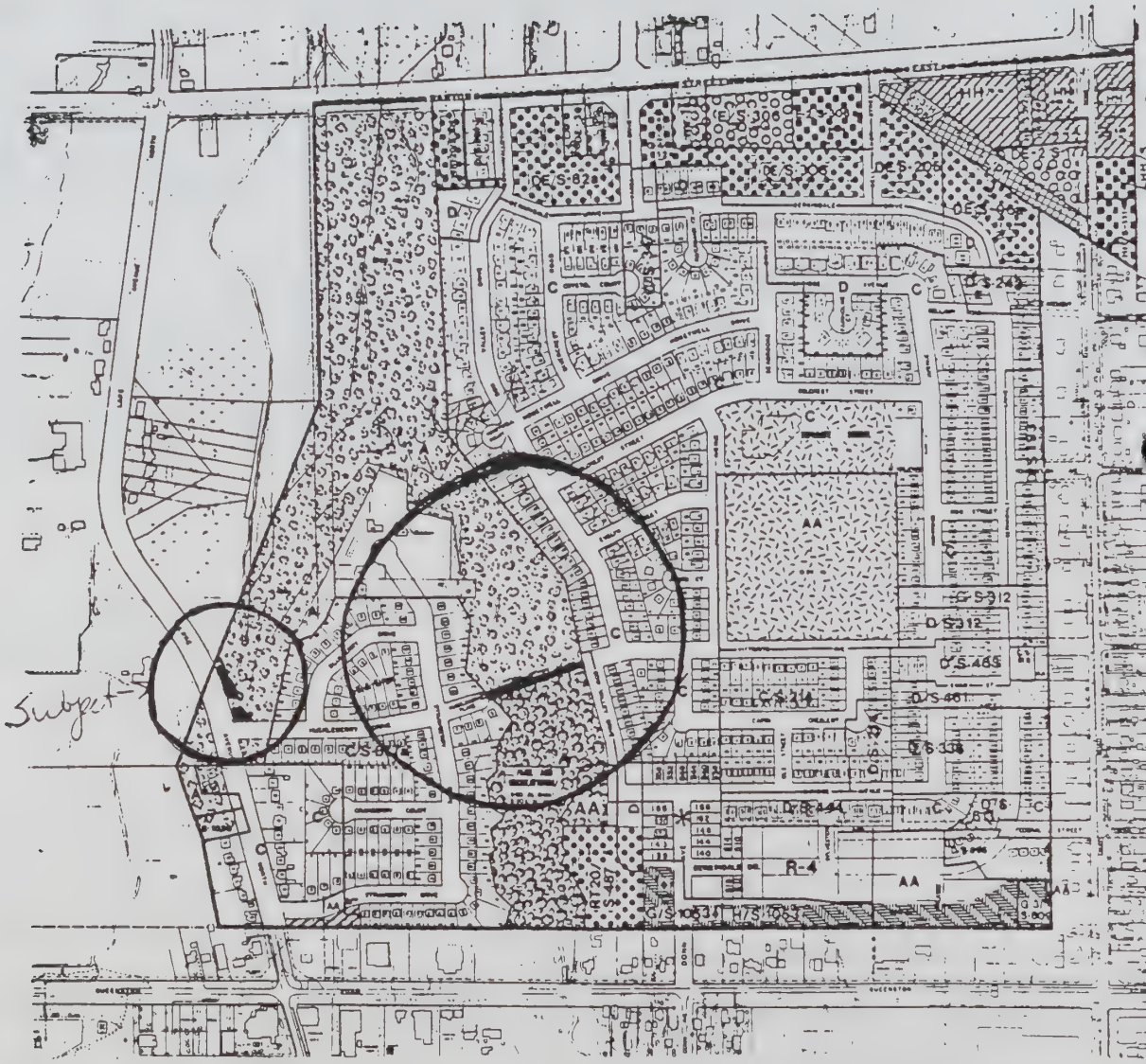
P. Noé Johnson, City Solicitor
Attention: Jennifer Lessing

J. J. Schatz, City Clerk

PROPERTY DESCRIPTION

a) Parts 1, 3, 4 and 5 on Plan 62R-12941
Lake Avenue at Huckleberry Drive, Hamilton
A parcel of undeveloped land comprising 428.0 square metres (.105 acres) of a much larger Open Space area along the Stoney Creek off Lake Avenue

b) Parts 1, 2, 3, 4 and 5 on Plan 62R-7697
Bow Valley, Hamilton
A parcel of undeveloped land comprising 2,314 square metres (.57 acres) of a much larger Open Space area along the Stoney Creek off Bow Valley Drive



NOTE: This is a GUIDE PLAN only and is subject to change. For details contact the local planning division of the Regional Municipality of Hamilton-Wentworth.

◆ **NON HIGHWAY COMMERCIAL**

-including neighbourhood commercial e.g. convenience stores and community commercial but excluding restaurants or refreshments rooms, laundry or dry cleaning establishments and storage garages.

* **NOTE:**
Item 23 of the twentieth report of the transport & environment committe which was adopted by city council at its meeting held Tuesday, December 11, 1984.

EXISTING POPULATION (1985) 3407

LAND USE

RESIDENTIAL

- single & double
- attached housing
- low density apartments
- medium density apartments
- high density apartments
- commercial & apartments

- COMMERCIAL
- INDUSTRIAL
- CIVIC & INSTITUTIONAL
- PARK & RECREATIONAL
- OPEN SPACE
- UTILITIES
- COMMERCIAL - SPECIAL PROVISIONS

Neighbourhood Boundary
Zoning Boundary

Approvals

Planning Committee MAY 16, 1985 Council JULY 23, 1985

Latest Revision Date MARCH 13, 1985

CITY OF HAMILTON
PLANNING DEPARTMENT

RIVERDALE EAST
APPROVED PLAN

NORTH

0 100 m
SCALE

D.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 April 7

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: 1995 REQUESTS FOR SUBSIDY MONIES UNDER THE PUBLIC TRANSPORTATION AND HIGHWAY IMPROVEMENT ACT

RECOMMENDATION:

a) That the Treasurer be authorized to make application to the Minister of Transportation for the City of Hamilton 1995 Normal and Supplementary Requests for Subsidy Monies under the Public Transportation and Highway Improvement Act based on the estimated total and eligible maintenance and construction expenditures (as contained in the 1995 Current and Capital Budgets) as indicated on the attached Schedule "A";

b) That the Treasurer be authorized to petition the Minister for subsidy payments as necessary;

c) That the Treasurer be authorized to monitor expenditures during 1995 and incur only minimal 100% dollars to obtain maximum subsidy dollars in the event that a Supplementary Application is not approved.

- Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

As indicated in a letter dated February 24, 1995 to Mr. J. Schatz, Clerk from Denise K. Evans, Regional Director, Operations, Ministry of Transportation, the Ministry has provided the City of Hamilton with a 1995 Normal Subsidy Allocation of $6,423,500. This subsidy allocation will support an estimated total expenditure of $17,592,340 of which an estimated $12,847,010 will be eligible for subsidy.

A Request for a Supplementary Subsidy Allocation is necessary for an estimated total expenditure of $4,750,780. of which an estimated $1,880,490. will be eligible for subsidy or $940,240. estimated subsidy dollars.

BACKGROUND:

Each year the Minister of Transportation approves a Normal Subsidy Allocation for the City of Hamilton for roadway maintenance and construction expenditures. This allocation is based on a 50% subsidy rate of eligible expenditures as determined by roads needs studies and the availability of Provincial funds. Any expenditures in excess of the Normal Allocation must be the subject of a Supplementary Application, which if approved, will maintain the 50% subsidy base. If the Supplementary Application is not approved by the Minister, the municipality must bear 100% dollars if the expenditures are incurred, or the effective rate of subsidy approved as the Normal Allocation will be reduced to less than 50%.

The 1995 Approved Normal Subsidy Allocation is $6,423,500.

For your information, the 1994 Normal Subsidy Allocation approved for Hamilton was $6,376,500. Eligible maintenance and construction expenditures incurred in 1994 were sufficient to realize the Normal Allocation and in fact exceeded it by $603,759. subsidy dollars, subject to provincial audit, as there are several outstanding issues with the Ministry which could reduce this excess to nil.

The approved 1995 Normal Subsidy Allocation of $6,423,500. has increased from the 1994 by an amount of $47,000 subsidy dollars or 0.7%.

The attached Schedule "A" 1995 Requests for Allocation of Subsidy Monies indicates the Estimated Total Expenditure, Eligible Expenditure and Subsidy Dollars to realize 50% subsidy dollars based on the approved 1995 Current and Capital Budgets.

Schedule "A"

City of Hamilton
Treasury

The Public Transportation and Highway Improvement Act
1995 Request for Allocation of Subsidy Monies

Detail of Expenditure (1)	Estimated Total Expenditure (2)	Estimated Eligible Expenditure (3)	Estimated Subsidy Dollars (4)
Normal Application			
Maintenance	9,393,970	7,908,060	3,954,030
Construction	8,198,370	4,938,950	2,469,470
	17,592,340	12,847,010	6,423,500
Supplementary Application			
Construction	4,750,780 *	1,880,490	940,240
	4,750,780	1,880,490	940,240
Total Applications	22,343,120	14,727,500	7,363,740

* These expenditures will represent 100% dollars if the Supplementary Application is not approved.

E.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 April 5

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: John Johnston
Commissioner of Human Resources

SUBJECT: Appointments To and Terminations from Permanent Positions with the Corporation of the City of Hamilton (C-017-095)

RECOMMENDATION:

That the attached listing of Appointments To and Terminations from Permanent positions with the Corporation to 1995 April 7 be approved.

JJ/mb

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

BACKGROUND:

Attached.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Dean Jamieson	I	Street Sweeper/Flush Operator (D-14)	Public Works	Replacing Mr. T. Warburton - promoted Jan. 02/95	$36,052.64	March 05/95
Mr. Steve Matthews	I	Signs & Markings Specilist (11-E)	Traffic	Replacing Mr. P. Dubord - promoted, March 06/95	$29,714.88 to $32,754.28	March 06/95
Mr. Bruno Perino	I	Traffic Signal Foreman/ Woman (F5)	Traffic	Replacing Mr. O. Meloche - retired, Dec. 31/94	$46,411.56 to 448,986.60	March 06/95
Mr. Tom Warburton	I	Foreman/Woman II (F1)	Public Works	Replacing Mr. J. McKay - retired, Dec. 30/94	$38,074.40 to $43,763.20	Jan. 02/95

Prepared April 07, 1995

Status

Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Noel Cooper	Senior Systems Analyst	Information Systems	Retired (Early)	22 years, 7 months	March 31/95
Mr. Gerry Ferrell	Zoning Examiner/Code Correlator	Building	Terminated	14 years, 2 months	March 09/95
Ms. Sharon McCallum	Fire Communications Officer	Fire	Retired (Early)	13 years, 10 months	March 31/95

Prepared April 7, 1995

Glossary of Terms

Terminated - long term disability
- discharge
- downsizing
- redundant

Resigned - personal betterment
- personal reasons

F.

CITY OF HAMILTON

-RECOMMENDATION-

DATE: 1995 April 12th

REPORT TO: Alderman B. Charters, Chairman & Members,
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary,
Finance and Administration Committee

SUBJECT: **Information Items**

RECOMMENDATION:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Correspondence - Rev. Stephen Csiszar, Pastor, Our Lady of Lourdes Church, 416 Mohawk Road East - adult movies in convenience stores

(b) Information Report - City Solicitor - Local Government Disclosure of Interest Act - report dated 1995 April 5

(c) Information Report - Secretary, Advisory Committee on Equitable Representation on Committees/Boards/Commissions - Selection Process for Citizens applying for membership on City Committees/Boards/Commissions and Guideline to Fair and Equitable Interviews - report dated 1995 April 10

(d) Correspondence - FCM - Consent Form - Elected membersof municipal Councils who wish to stand for election to the National Board of Directors - letter dated 1995 March 31

(e) Information Report - Treasurer - Tax Arrears Property - 607 Queen Victoria Drive - report dated 1995 April 11

(f) Report - Director of Property - Real Estate Division of the Property Department Services to the Region for the first quarter of 1995 - report dated 1995 April 11

(g) Information Report - City Solicitor - Local Government Disclosure of Interest Act - report dated 1995 April 5

(h) Correspondence referred from City Council - John G. Attridge; C. Yachetti, Canadians for Positive Community Standards - Sale of Adult Videos in Convenience Stores

Susan K. Reeder.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The above-noted documents have been sent out to members of the Committee and the applicable staff for information purposes, and are being formally presented to the Committee in order to be officially received. Approval of this recommendation to receive these documents will ensure that the circulation procedure followed for these matters is recorded.

2.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 April 12

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. G. Pavelka, P.Eng.
Chief Administrative Officer

SUBJECT: 1995 Civic Reception - Hamilton International Air Show

RECOMMENDATION:

(a) That the City of Hamilton not host a reception for the Hamilton International Air Show on Friday, 1995 June 16, at a cost of $7,000.; and,

(b) That the funding for a reception come from the $300,000. funding provided by the Region of Hamilton-Wentworth.

J. G. Pavelka

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Normally the $7,000. funding as come from the Special Civic Receptions and Delegation Hostings Account No. CH 55314 84010. The 1995 Budget allocation for this account is $45,000., and to date no expenditures have been charged.

BACKGROUND:

The attached request from the Director of Operations for the Hamilton International Air Show Foundation to sponsor the 1995 Civic Reception scheduled for Friday, 1995 June 16th, was received.

The Finance and Administration Committee, at its meeting held 1995 March 21st, considered this matter, and directed that this report be tabled in order to provide further information to the Committee on this event.

DISCUSSION:

The 1995 Hamilton International Airshow is being billed as "Big V Drug Stores and Tim Horton's Donuts presents the Hamilton International Air Show". A copy of the promotional brochure is attached.

A. CITY FUNDING

The Hamilton International Air Show will be celebrating its 20th Anniversary this year. From the inception of the Air Show event, the City of Hamilton has hosted a Civic Reception. The requested amount for the 1995 Civic Reception is $9,000., and in keeping with a zero percent increase, the recommendation being presented is for the same amount which was funded in 1994.

Recent funding requests and approvals for this Civic Reception have been as outlined in the following table, although the City of Hamilton has subsidized this event for 20 years, since 1975.

Year	Request	Amount Approved
1994	$8,500.	$7,000.
1993	$8,500.	$8,500.
1992	$9,000.	$8,000.
1991	$9,000.	$9,000.

The 1995 Civic Reception will be held at the Mount Hope Airport under a Special Events tent, in the same manner as last year's event.

B. REGIONAL FUNDING

The Regional Finance Committee, at its meeting held 1995 February 15, referred the report of the Treasurer and Commissioner of Finance respecting the Hamilton International Air Show Revolving Fund and Parking Loan to the Economic Development and Planning Committee.

The report of the Treasurer and Commissioner of Finance outlined the financial history for the past four years of the Airshow as follows:

	1991 Actual	1992 Actual	1993 Actual	1994 Projected Annual	1995 Proposed Budget	%Increase/ (Decrease) 1995 vs 1994
Rev.	$686,704	$552,908	$503,545	$689,115	$798,800	15.92
Exp.	484,391	763,779	687,414	892,230	841,410	(5.70)
Net	$202,313	$(210,871)	$(183,869)	$(203,115)	$(42,610)	(20.98)

The Economic Development and Planning Committee, at its meeting held 1995 February 27th considered this report, along with the report of the Director of Economic Development. Regional Council, at its meeting held 1995 March 7, approved the following:

(a) That the Hamilton International Airshow strive to achieve a five year Forecast reflecting a profitability during that period;

(b) That the Hamilton International Airshow Foundation provide annual audited statements to be compared against their five year Forecast as a monitoring and auditing tool to reflect the elimination of budgetary deficits over that time period;

(c) That the Foundations budget include the annual debt payment of $28,745. required to repay the parking loan due the Region over a five year period;

(d) That an agreement in a form satisfactory to the Commissioner of Legal Services be prepared to include the terms and conditions outlined in the Economic Development Report ECO 95-025;

(e) That funding for the 1995 Airshow Revolving Fund in the amount of $300,000. be funded from the Region's Unallocated Capital Levy Reserve (081827).

While the Region provides major funding for the Airshow, the hosting of a Civic Reception during this event has not been seen as duplicate funding or in breech of the City's Grant Policy since the Airshow and the Civic Reception have been viewed as two separate events.

C. CIVIC RECEPTION

Additional information on the Civic Reception has been provided by the Director of Operations of the Hamilton International Air Show Foundation as herewith attached.

In the past the City has hosted the Civic Reception in the amounts as referenced above. While the City is the sole funder of this event, the host hotel for the Airshow, the Ramada Inn/Holiday Inn Downtown has provided a discount rate for the supply of hamburgers and hotdogs for the Barbeque Reception.

The City's hosting of this Civic Reception has been acknowledged in the City invitations which are sent out to participants and volunteers in the Airshow. As well, during the Reception, the City of Hamilton banner and City flags are on display, and the Mayor welcomes everyone to the Reception and presents gifts to the air crews from around the world who are participating in the Air Show.

SR/JP
Attachment

cc A. Ross, Treasurer

HAMILTON INTERNATIONAL
AIR SHOW FOUNDATION

150 KING STREET EAST, SUITE 416, HAMILTON, ONTARIO L8N 1B2
BUS: (905) 528-4425 FAX: (905) 528-8499

DISPLAY DATES
June 17, 18/95

January 31, 1995

Mr. Kevin Christenson
Legislative Assistant
City of Hamilton
City Clerks Office
City Hall
71 Main Street West
Hamilton, Ontario L8N 3T4

Dear Mr. Christenson:

Planning for the 1995 edition of the Hamilton International Air Show is in full gear. In previous years, the City of Hamilton has provided invaluable support by sponsoring a Civic Reception for participants and volunteers. These receptions have proved to be important components of our hosting responsibilities for air crews from around the world. The outside venue at the Hamilton Airport was extremely well received in 1994 by all our invited guests as well as the crews.

This year the **USAF Thunderbirds Jet Team** will be featured at the Air Show. Our reputation as a **premier air show** has succeeded us as we are the only air show in Canada that the Thunderbirds will appear in.

We would ask the City of Hamilton to sponsor, again, the 1995 Civic Reception scheduled for Friday, June 16, 1995. The estimated cost of the '95 reception is $9,000.

As the Hamilton International Air Show grows in size and reputation, the benefits to the City and Region are considerable.

We have greatly appreciated your support in the past and look forward to a long-lasting partnership in the future.

Yours truly,

Eunice Tyzio

Eunice L. Tyzio
Director of Operations

ELT:sk

HAMILTON INTERNATIONAL AIR SHOW FOUNDATION

150 KING STREET EAST, SUITE 416, HAMILTON, ONTARIO L8N 1B2
BUS: (905) 528-4425 FAX: (905) 528-8499



DISPLAY DATES
June 17, 18/95

April 12, 1995

Memo to: Ms. Susan K. Reeder
Secretary
Finance & Administration Committee

Subject: Friday, June 16th, Civic Reception

We are writing in regard to your deliberations on the Civic Reception funding to the Finance and Administration Committee. In past years there has been an understanding that the City of Hamilton would host the Hamilton Air Show Civic Reception and historically this indeed has been the case. As you know the civic reception is a very integral part of our air show, we hope this will continue.

Traditionally the Mayor and City Councillors have enjoyed attending this event.
We expect military participation from all over the world, among the attendees at this year's event:

- Brigadier General Gord Diamond, Air Command, Westwin, Manitoba
- Brigadier General Thomas J. Lennon, USAF, Pentagon, Washington, D.C.
- Major George Nelson, Air Combat, Langley, Virginia.

We also expect representatives from the Royal Air Force, the Consuls General of France, Belgium, the Netherlands, the United Kingdom, and the United States.

We are planning to have the Air Cadet's band, together with their Honour Guard, pay tribute to local veterans.

The theme this year is the 50th Anniversary of the Liberation of Europe.
Our tribute will highlight a recognition of the contribution of our WWII veterans. The world famous USAF Thunderbirds Jet Team will be making their only Canadian appearance.

I have attached brochures that you may wish to distribute at the meeting on April 18th.

Thank you for your cooperation and I look forward to your reply.

Sincerely,

Eunice Tyzio

Eunice Tyzio
Director of Operations

... unites Ontario's municipalities

Association of Municipalities of Ontario

3.

March 23, 1995

To All Heads of Council:

On Friday, March 17th, your municipality received a fax advising of a March 20th Press Conference to announce the Association's pre-election municipal platform, Better **Government, Lower Cost: the New Municipal Mandate.** A copy of the municipal platform was sent along with this information.

As indicated in the faxed materials, the purpose of this initiative is to seek the support of the three provincial parties for the fundamental reform of the provincial-municipal relationship as set out in the municipal platform. The recommendations contained in the attached materials are based on AMO policy positions developed over the past five years, and call for fundamental reform.

The attached package of materials, or "Municipal Kit", is provided for your use during the period leading up to the provincial election. It includes an overview of the recommendations, a comprehensive implementation guide, and a sample news release and resolution for your use locally.

Although Premier Rae has yet to respond to our request to meet and discuss his party's view on our recommendations, AMO will be meeting with the Leaders of the Liberal and Progressive Conservative Parties in the coming weeks. We will be seeking their support to move ahead with this agenda for change, should they form the next government and will advise our members of the results in late April of this year.

This initiative presents an opportunity for municipalities to set a clear agenda for fundamental reform of the provincial-municipal relationship in Ontario. We ask for your support in this important endeavour, and encourage you to endorse this framework for change.

Copies of the Implementation Recommendations have been forwarded to all Members of City Council and are available from the Committee Secretary, upon request.

Yours truly,

Wm L. Mickle

Bill Mickle
President

PROVINCIAL ELECTION '95

BETTER GOVERNMENT
LOWER COST
THE NEW MUNICIPAL MANDATE

250 Bloor Street East • Suite 701, Toronto, Ontario M4W 1E6 • Telephone (416) 929-7573 • Fax (416) 929-7574

News Release

Association of Municipalities of Ontario
250 Bloor St. East, Suite 701
Toronto, Ontario M4W 1E6

Tel. (416) 929-7573 • FAX (416) 929-7574

For Immediate Release

MUNICIPALITIES ISSUE CHALLENGE TO PROVINCIAL GOVERNMENT - COMMIT TO BETTER GOVERNMENT AT LOWER COST

TORONTO, March 20, 1995 - It is high time that governments in Ontario give taxpayers what they want and deserve: better government at lower cost. This was the message delivered by municipal officials today at a news conference to launch their municipal platform paper for the upcoming provincial election.

The Association of Municipalities of Ontario (AMO) unveiled a six-part strategy today to achieve what it calls the New Municipal Mandate. The key components of the mandate include putting an end to wasteful duplication of services at both levels of government, fundamental municipal financial reform to ensure more equitable and accountable funding responsibilities, a municipal partnership agreement with the Province, and replacing the restrictive *Municipal Act* with a new, simpler Act.

"Across Canada and around the world, taxpayers are calling for cost-efficient, effective government. But these demands continue to fall on deaf ears," stated Bill Mickle, president of AMO. "The municipalities of Ontario challenge the next Government of Ontario to commit to better government at lower cost," he said.

Municipalities are looking to the provincial government for action because most of the quality services municipal governments provide and the way they provide them is determined by provincial legislation. For example, municipalities, on average, spend more than 50 per cent of their own revenues on police services but have almost no control over how these revenues are spent. This is not unique. Municipalities have very little say on how the tax dollars for the services they provide are used. "We believe these tax dollars can be used better and are prepared to tell the provincial government how," said Mickle.

(more)

MUNICIPALITIES ISSUE CHALLENGE TO PROVINCIAL GOVERNMENT - COMMIT TO BETTER GOVERNMENT AT LOWER COST

When asked for their recipe for better government at lower cost, President Mickle stated that there are two main ingredients - provincial commitment to change and provincial action on fundamental reform. Mickle pointed out that over the past four years, AMO has devoted hundreds upon hundreds of hours to working with this Government on reforming such things as municipal finance, taxation and welfare funding. Despite AMO's support for these studies, the Province has failed to act. "The time for study is over, the time for change is now," insisted Mickle.

"Municipalities are deeply frustrated in getting the Provincial government to act on what appears to be very workable suggestions for reform, " stated Grant Hopcroft, an AMO spokesperson and Deputy Mayor of the City of London. "We are convinced that the taxpayers will see the logic behind what AMO is asking the Provincial government to do and support us in our challenge to the Government of Ontario," said Hopcroft.

The Association of Municipalities of Ontario (AMO) is a non-profit organization with member municipalities representing over 95 per cent of Ontario's population. AMO, through research, policy work and lobbying the provincial government, promotes the values of municipal government as a vital part of Ontario's and Canada's political system.

- 30 -

For further information or to arrange interviews contact:
Joanne Meddaoui, AMO at (416) 929-7573 ext. 314

PROVINCIAL ELECTION '95

BETTER GOVERNMENT LOWER COST

THE NEW MUNICIPAL MANDATE

SAMPLE NEWS RELEASE FOR YOUR USE

For Immediate Release

"Anytown/City Joins in the Challenge to Provincial Government - Commit to Better Government at Lower Cost

Any town/city, March 20, 1995 - "It is high time that governments in Ontario give taxpayers what they want and deserve: better government at lower cost," stated (Mayor/Councillor). This statement by (Name) was made in support of the municipal platform paper for the upcoming provincial election **Better Government, Lower Cost: The New Municipal Mandate** which was officially launched by the Association of Municipalities of Ontario (AMO) at a news conference in Toronto on March 20, 1995.

AMO unveiled a six-part strategy today to achieve what it calls the New Municipal Mandate. The key components of the mandate include putting an end to wasteful duplication of services at both levels of government, fundamental municipal financial reform to ensure more equitable and accountable funding responsibilities, a municipal partnership agreement with the Province, and replacing the restrictive *Municipal Act* with a new, simpler Act.

Commenting on the challenge AMO issued to the next Government of Ontario, (Name) stated, "Municipalities in this province believe that there has been enough talk about fundamental reform and little action". "We agree that the time for study is over, the time for action is now."

Municipalities are looking to the provincial government for action because most of the services municipal governments provide and the way they provide them is determined by provincial legislation. For example, municipalities, on average, spend more than 50 per cent of their own revenues on police services but have almost no control over how these revenues are spent. This is not unique. Municipalities have very little say on how the tax dollars on the services they provide are used.

(more)

(Name) commented that the recipe for better government at lower cost includes provincial commitment to change and provincial action on fundamental reform. "(The Municipality) can attest to the hundreds upon hundreds of hours devoted to working with this government on reforming such things as municipal finance, taxation and welfare funding," stated (Name). I sincerely hope the next Government of Ontario will see the logic behind what municipalities are asking and respond positively to AMO's challenge," he/she said.

- 30 -

For further information contact:
Name, (Public Relations Department
Telephone (555) 555-5555

PROVINCIAL ELECTION '95

BETTER GOVERNMENT LOWER COST

THE NEW MUNICIPAL MANDATE

SAMPLE RESOLUTION

WHEREAS taxpayers are demanding cost-efficient, effective government;

WHEREAS those demands extend to all orders of government;

WHEREAS existing legislation governing the actions and authority of municipalities prevent bringing about the changes needed to keep quality services affordable;

WHEREAS the power and authority to change how services are provided and paid for rests with the provincial government;

WHEREAS municipalities have participated in countless commissions, task forces and studies and recommended fundamental reform to the provincial-municipal relationship, but the Province has failed to act;

THEREFORE BE IT RESOLVED that the Council of _____ endorses the six-part strategy for reform set out in the AMO municipal platform, **Better Government, Lower Cost: the New Municipal Mandate** and strongly urges each provincial party to commit to fundamental reform of the provincial-municipal relationship should they form the next provincial government in Ontario.

BE IT FURTHER RESOLVED that this resolution be communicated to all three provincial party leaders and the Association of Municipalities of Ontario.

Fax numbers:

Premier Bob Rae, Leader of the NDP Party: 416-325-3745

Lyn McLeod, Leader of the Liberal Party: 416-325-9895

Mike Harris, Progressive Conservative Party Leader: 416-325-7810

Association of Municipalities of Ontario: 416-929-7574

PROVINCIAL ELECTION '95

BETTER GOVERNMENT LOWER COST

THE NEW MUNICIPAL MANDATE

Across Canada and around the world, taxpayers are calling for cost-efficient, effective government. The public is demanding that governments at all levels provide the same or better services with the same or fewer resources.

The public is demanding better government at lower cost.

For direct contact and front-line delivery of "services they can touch", most people look to municipal government. From ball diamonds and garbage collection to police protection and snow removal, the public sees the services their tax dollars provide. Increasingly, they think those tax dollars could be spent more efficiently.

We agree ... But our hands are tied.

The services municipal governments provide and the way they are provided are largely determined by Provincial legislation. Municipalities have few tools at hand to bring about the changes that are needed to keep quality services affordable.

Only the Provincial government has the power and authority to change how Ontario is governed.

Better government at lower cost requires **fundamental reform**. During the past several years, provincial commissions, task forces and committees have all recommended such reforms to municipal finance, taxation, and welfare and education funding. Although there was significant municipal input, support and a willingness to change, the Province has failed to act.

The time for study is over ..... the time for change is now.

AMO

... unites Ontario's municipalities

So what do we need to achieve better government at lower cost?

- A Provincial **commitment** to change
- Provincial **action** on that commitment, and a timetable for implementation

The Association of Municipalities of Ontario is proposing the following framework of recommendations as the basis for reform of the provincial-municipal relationship. The recommendations set out below flow from the work of countless task forces and committees and from the direct efforts of municipalities AMO represents.

Viewed collectively, these recommendations address the question, "How can the Provincial government work with municipalities to create better government that costs less?"

COOPERATE

Enter into a Municipal Partnership Agreement which specifies the Province's commitment to work with and consult municipalities, provide for greater municipal decision-making autonomy and less provincial supervision.

Here's how ...

- Using AMO's Ontario Charter document as a basis, the Province and municipalities would jointly develop the Partnership Agreement and an implementation plan for fundamental government reform.

LEGISLATE

Starting with a new Municipal Act, enact less restrictive and more simplified legislation that allows municipalities to do more with less. This would represent a major step toward more responsive and less costly municipal government.

Here's how ...

- Replace the Municipal Act with a new simplified Act which allows a municipality to take any action needed to carry out the purposes of municipal government, unless specifically prohibited by the Act.

DELINEATE

Discontinue duplication of effort and responsibilities in the provincial and municipal provision of services by getting rid of overly rigid and complicated rules, regulations and red-tape. This will lead to streamlined and less costly provincial and municipal government.

Define municipal responsibilities clearly by untangling provincial and municipal government roles so that government is understandable and there is less overlap between provincial and municipal jurisdictions.

Here's how ...

- Since September 1994, the provincial government has had in its possession 123 recommendations from the "Pilkey Task Force", a group of provincial and municipal representatives who spent a year identifying duplication, overlap and wastefulness in the provincial-municipal delivery of services. Implementing the Pilkey Task Force recommendations would help streamline and simplify the delivery of government services and save the taxpayer an estimated $68 million dollars.



REJUVENATE

Bring about fundamental municipal financial reform through changes to current municipal revenue sources and funding responsibilities for public services to ensure more accountable and equitable funding responsibilities. Improve financial accountability by prohibiting the transfer or mandating of new responsibilities to municipalities without a corresponding transfer of funding to compensate for additional costs. Allowing one government to pass its fiscal problems on to another does not lead to lower costs, nor does it recognize that there is only one taxpayer.

Here's how ...

- Begin fundamental municipal financial reform by removing education and welfare costs from the property tax base.
- Conduct a comprehensive review of the assessment function in Ontario.
- Incorporate a provincial commitment against downloading in the proposed Municipal Partnership Agreement.

INTEGRATE

Promote accountable decision-making by enabling municipal governments to integrate the functions of local special purpose bodies, such as library boards, with municipal government units. In this way, municipalities can set local spending priorities and reduce the amount of bureaucracy at the local level.

Here's how ...

- Build on existing municipal structures for planning, managing and delivering health and social services.
- Commit to a moratorium on new special purpose bodies and review existing ones such as district health councils.
- Give priority consideration to municipal sponsorship of Multi-Service Agencies.
- Amend the Police Service Act to increase public accountability through greater municipal control over police budgets.
- Reduce costs and improve the efficiency of welfare delivery by integrating some provincial and municipal administrative functions.

FACILITATE

Recognize that local decision-making that is innovative, effective and efficient can best be facilitated by provincial legislation and policies which set broad objectives and goals, and leave the development of specific implementation and delivery policies to elected and accountable councils. This can lead to services designed in a way that is appropriate to different communities and in the most cost-effective manner.

Here's how ...

- Immediately pass guidelines for arbitrators and introduce legislation to reform the collective bargaining process.
- Reform the Fire Departments Act to remove barriers to the provision of more efficient fire services.
- Repeal Bill 120 to restore municipal authority to determine local housing intensification policies.
- Make further changes to the planning reforms to ensure streamlined and accountable decision-making.
- Streamline the Waste Management Master Planning Process and allow all options for disposing of wastes to be considered.
- Further reduce waste and costs by implementing full product and packaging stewardship.

PROVINCIAL ELECTION '95

BETTER GOVERNMENT LOWER COST

THE NEW MUNICIPAL MANDATE

FAST FACTS

- Ontario's *Municipal Act* is over 700 pages in length. In comparison, Alberta's new *Municipal Act* has only 260 pages.
- Eliminating the duplication and overlap identified in just one recent study (the Pilkey Report) could reduce the cost of delivering provincial and municipal services by nearly $70 million.
- Reducing the duplication in transit vehicle inspections alone could save $10 - 20 million across the province.
- Municipal government has very little say as to how a lot of its money is spent. For example, on average municipalities devote over 50% of their own-source revenues to police services, but have almost no control over the spending decisions in that area.
- In the past four years, the Association of Municipalities of Ontario has published more than 30 reports containing over 1,500 pages recommending specific reforms to various aspects of the provincial-municipal relationship.
- Since 1990, provincial and municipal professionals have devoted hundreds upon hundreds of hours to at least a dozen commissions, task forces and working groups generating tens of thousands of pages of proof that their relationship must change.

The time for study is over... the time for change is now.

FURTHER INFORMATION

The Association of Municipalities of Ontario (AMO) is a non-profit organization with member municipalities representing over 95 per cent of the province's population. For additional information, to order a copy of our detailed implementation plan or to arrange an interview, please contact Kimberly Suderman (ext. 312) or Joanne Meddaoui (ext. 314) at (416) 929-7573.

AMO

4.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 April 10

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Ontario Municipal Board Hearing
986-998 Upper Wentworth Street

RECOMMENDATION:

That the owner's cost of the Ontario Municipal Board Hearing relating to 986-988 Upper Wentworth Street in the amount of $8,000. be financed from the Unclassified Account, Centre No. CH 24201.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

As above.

BACKGROUND:

The Planning and Development Committee on 1995 April 5 approved the following:

"(a) That the City of Hamilton settle the Ontario Municipal Board Hearing concerning 986-998 Upper Wentworth Street by,

(i) offering to rezone the property such that 75% of the existing floor area of the shopping plaza be permitted to be used for restaurant uses; and

(ii) paying $8,000. towards the Owner's costs of the appeal to date.

(b) That the City Treasurer be requested to recommended the appropriate method of financing the settlement."

NRA:jc

c.c. P. Noé Johnson, City Solicitor
S. Glover, Secretary, Planning and Development Committee

5.

OFFICE OF THE CITY CLERK

MEMORANDUM

****

TO: Susan K. Reeder, Secretary
Finance and Administration Committee

YOUR FILE:

FROM: S. G. Hollowell
Acting City Clerk
Office of the City Clerk

OUR FILE:
PHONE: 546-2727

SUBJECT: Referral to the Finance and Administration Committee - Adult Videos in Convenience Stores

DATE: 1995 April 12

This will confirm that City Council, at its meeting held Tuesday, 1995 April 11th approved the following referral back motion with respect to the Adult Videos in Convenience Stores recommendation:

> That Section 16 of the Eleventh Report for 1995 of the Finance and Administration Committee be referred to the Finance and Administration Committee to establish a Task Force to investigate further the classification and fee structure for Adult Video vendors, and for additional staff reports on administrative and legal ramifications from the City Clerk and City Solicitor.

S. G. Hollowell

SKR/SGH

- RECOMMENDATION -

DATE: 1995 March 28

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: Display of Adult Videos

RECOMMENDATION:

1. That City of Hamilton By-law No. 93-045, respecting the regulating and governing of adult videos, and for regulating video stores in which adult videos are provided, be amended to provide for the following:

   (a) i) A Class A Licence for persons being in the business of operating an adult video store;

   ii) A Class B Licence for persons operating a business where adult videos are 20% or less of the video stock offered for sale or rent;

   (b) the designated area within a Class B Licence to be equipped with a self closing full-length door;

   (c) all adult video covers or jackets, which contain specified body areas or specified sexual activities as defined in the By-law, to be covered by an opaque cover when being transported from the designated area of a Class B Licence to the cashier;

   (d) i) the number of adult videos, permitted as an incidental use in a Class B business, to be restricted to not more than 20% of the total number of regular videos available;

   ii) the Operators of all Class B outlets be required to keep on file a list and number of all videos available and a list and number of all adult videos available;

   (e) the fee for either class of adult video licence be $150.;

(f) reduction in the number of licences to four and removing two locations; and

(g) a hearing for the denial of a licence in accordance with Bill 198, a Provincial act to amend the Liquor Licence Act, the Municipal Act, the Regional Municipalities Act and certain other statutes related to upper tier municipalities.

2. that the City Solicitor be authorized to prepare the appropriate By-law to amend By-law 93-045, accordingly.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Currently, there are four businesses licensed as adult video parlours which generates $8,000. in licence fees. There are approximately 125 businesses offering adult videos as an incidental use. As proposed, the total revenue for 129 stores would be $19,350. Presently, the Licence Division is spending more for these administrative and enforcement, relative to adult videos, than it is collecting in fees. The Licence Division currently responds to complaints and carries out random checks, which will continue whether the premises are licensed or not.

BACKGROUND:

City Council, at its meeting held February 23, 1993, enacted By-Law 93-045 which provides for the licensing, regulating and governing of video stores in which adult videos are provided. Since its enactment the Licence Division has received 26 complainants that deal with convenience stores which offer adult videos for rent or sale.

Presently, the By-law requires that all adult videos must be displayed in a designated area, which cannot be viewed by the public outside of this area. An analysis of the complaints received and the inspections performed by the Licence Division has revealed that the main problem in the convenience stores is as a result of the lack of proper control to the designated area. This problem was also identified by the various church and school groups who attended the Finance & Administrative Meeting of March 7, 1995. Since there is no actual definition in the By-law of what type of barrier is to be provided, it currently ranges from a solid door to a curtain. As a result, at times, the curtain or door has been left open and in some instances, minors have had easy access to this restricted area without the knowledge and consent of the proprietor. In order to better control the access to these areas, it is recommended that the By-law be amended to require that all designated areas be equipped with a solid full length, self-closing door. This type of door would prevent accidental access and viewing of the videos by young children. It is our opinion of that a locked door is not necessary and would be too onerous a requirement on the owner.

A second area of concern is the explicit video jackets or covers on the adult videos. These jackets may be visible to other customers, especially children, at the check-out area. In order to reduce the chance of children viewing this material or offending a customer, it is recommended that the By-law be amended to require that all adult videos jackets or covers, which contain specified body areas or specified sexual acts as defined in the By-law, be transported from the designated area to the cashier in an opaque cover.

The City can only regulate adult video stores. It cannot prohibit the videos or businesses. When establishing a licence fee, it cannot be set to prohibit the business or with the intent or effect of discouraging vendors from continuing the business. The fee should be reasonable and justifiable, with consideration given to costs of enforcement and administration.

Currently, the By-law requires stores which offer only adult videos to obtain a $2,000. licence. It also restricts such licences to 6 businesses which will be reduced in number to a minimum of two as the licences are not renewed. Stores which offer adult videos as an incidental use to the sale of other family/type videos are not currently required to be licensed. We are recommending that a second class of licence be created for businesses offering adult videos as an incidental use.

The Licence Division is recommending a licence fee of $150. for stores which offer adult videos as an incidental use. It is also recommending reducing the $2,000.00 licence for adult only video stores to $150., but still maintain a separate class for adult video stores. This $150. license fee is based on the average administrative and enforcement costs for all licences, as indicated in a recent report, respecting user fees, prepared by David M. Griffith & Associates for the City of Hamilton.

Concerns have been expressed that, if the number of adult videos are not restricted for a Class B licence, it would be possible to operate this class of business similar to that of a Class A Licence. It is recommended that the number of adult videos, permitted as an incidental use, be restricted to not more than 20% of the total number of regular videos available for rent or sale. In a survey of other municipalities which regulate adult videos, only the City of Burlington has a 10% ratio of adult videos, permitted as an incidental use. Inspections of 20 businesses, located in the City of Hamilton, which offer adult videos as an incidental use to regular videos, have revealed that the number of adult videos was approximately 20 % of the total number of regular videos available. It would appear that this new requirement would not have an adverse effect on the existing number of adult videos being provided as an incidental use in these businesses.

Subject to the approval of the Finance and Administration Committee and City Council, we will submit an enforcement plan to the Licensing Committee, outlining the process to be followed when non-compliance with the By-law occurs. This process would involve a number of steps which include the issuance of an Orders to Comply, By-law charges, and a Hearing before the Licence Committee to suspend an operators licence for non-compliance.

Subject to the approval of these By-law amendments, we are recommending a 60 day compliance period for these new regulations. Letters will be sent to all convenience store operators to inform them of the By-Law changes and their responsibilities. Licence Inspectors

will also attend all locations to advise operators what changes are required for their designated area. A second follow-up inspection will occur to ensure compliance. It is estimated that approximately 300-400 inspections will be required. In addition to this compliance period, inspectors will continue to perform random inspections, approximately 30 a month, to ensure compliance with the By-law. As in the past, all such complaints will be dealt with immediately.

The recommendations for new licensing requirements, for all businesses which offer adult videos for rent or sale, will enable the City to have better control of the problems and to take immediate action for non-compliance of the By-law.

Respecting the two adult video stores formally at 116 Emerson Street and 7 Greenford Drive, the licences were not renewed in 1995. The By-law provides that these licences are no longer available. A housekeeping change should be made to Schedule 1 to reflect the four current licences and remove the two addresses no longer in use.

Bill 198 changes the licence powers and procedures for the City of Hamilton. As a result, Section 9 of the by-law must be amended to require a hearing for the denial of a licence. The process in the current by-law requires the applicant to request a hearing.

c.c. Patrice Noe Johnson, City Solicitor

CITY OF HAMILTON

- RECOMMENDATION -

6.

DATE: 1995 April 12

REPORT TO: Ms. Susan Reeder, Secretary
Finance and Administration Committee

FROM: Mr. D. Lobo
Director of Public Works

SUBJECT: Appointment of a Committee to select Street Vendors

RECOMMENDATION:

That the Finance & Administration Committee appoint a five-person Committee to review and bring forward recommendations relative to the selection of successful Street Vendors resulting from the proposal call.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

In 1994 the Selection Committee was made up of three Aldermen (Alderman B. Charters, Alderman D. Drury & Alderman D. Agostino) and two staff from the Public Works Department (C. Firth-Eagland & D. Farquhar).

DF:jh

7. (a.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 March 27

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: P. Noé Johnson
City Solicitor

SUBJECT: Quit Claim - rear of 499 John Street North

RECOMMENDATION:

That the City quit claim and release a parcel of land measuring about 2 feet by 26 feet (Part 6, Plan 62R-8773) at the rear of 499 John Street North to George and Nancy Sterling, the current owners of 499 John Street North.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

As this quit claim is to clarify title to private land, it is not subject to the surplus, notice to public or appraisal requirements of Real Estate Sales Procedural By-law 95-049.

BACKGROUND:

In 1966, the City acquired a vacant lot known as 53 Wood Street East which included in its legal description, the above noted small sliver of land at the rear of an adjacent property known as 499 John Street North. In 1987 when the City sold the 58 Wood Street East, this small sliver of land was not included in the sale deed because it had in fact been owned and occupied since 1930 by the owners of the adjacent 499 John Street North.

The owners of 499 John Street North have requested the quit claim (recommended above) to confirm that the City has no interest in the small rear parcel of land. This quit claim has been reviewed with the Director of Property, who supports this recommendation.

PNJ/DAP:bd

c.c. D. W. Vyce, Director of Property

7. (b.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 April 6
(141-14/94.1)

REPORT TO: Susan Reeder, Secretary
Finance and Administration Committee

FROM: P. Noé Johnson
City Solicitor

SUBJECT: Quit Claim Deed to National Steel Car Limited
602 Kenilworth Avenue North

RECOMMENDATION:

That the Mayor and City Clerk be authorized to execute a Quit Claim Deed to National Steel Car Limited, (owner of 602 Kenilworth Ave. N.), to confirm that the City has no right, title, or other proprietary interest in the 602 Kenilworth Ave. N. rail car plant.

The property being quit claimed is briefly described as Parts 1 to 6 on Reference Plan 62R-12951 and is fully described in Instrument Number 179847, registered on 1994 March 31.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The City's Quit Claim Deed to clarify title of the privately owned land is not subject to Real Property Sales Procedural By-law No. 95-049.

BACKGROUND:

National Steel Car Limited's lawyers have requested confirmation by a Quit Claim Deed from the City that the City has no right, title, or other proprietary interest in National Steel Car Limited's rail car manufacturing plant located at 602 Kenilworth Ave. N. This request was made because title records of properties such as this one beside the harbour are difficult to verify.

In view of the complexity of the legal title review which is required by the City before the requested Quit Claim Deed could be recommended for approval, and as the Quit Claim requested is solely for the benfit of the applicant, we informed the applicant that it was appropriate that it pay the City's outside legal counsel to review the title to the land being released. Accordingly, Mr. B.H. Leggat, Q.C. was retained at the applicant's expense and he has reviewed in detail the legal title to the National Steel Car Limited site. It is his legal opinion that the City has no title to this land of National Steel Car Limited and that the City, by agreeing to give the requested Quit Claim Deed, is not inadvertently giving up title to any property owned by the City. Therefore, the recommendation is made above for Council approval to the requested Quit Claim Deed.

PNJ/DAP/js

cc D. W. Vyce, Director of Property

8. (a.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 April 10

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: S. G. Hollowell
Acting City Clerk

SUBJECT: Amendments to Procedural By-law No. 82-203

RECOMMENDATION:

That the attached by-law which amends City of Hamilton Procedural By-law No. 82-203 to comply with the requirements of the Planning and Municipal Act and Statute Law Act, S.O. 1994 be approved. The amending by-law:

(a) Amends the Preamble to read: "To Regulate the Proceedings of the Municipal Council and Committees of the City of Hamilton."

(b) Amends section 2(1) to include "City Hall" as the place at which City of Hamilton Council Meetings are held.

(c) Adds the following as section 29A:

"29A. The Mayor or the Chairperson shall expel any person for improper conduct at a meeting."

(d) Repeals section 42 and replaces it with the following:

"42. The release of municipal information shall be governed by the provisions of The Municipal Freedom of Information and Protection of Privacy Act."

(e) Repeals section 43 and replaces it with the following:

"43. (1) Meetings of standing committees and committees shall be open to the public and no person shall be excluded therefrom except for improper conduct or if the subject matter being considered is:

(a) the security of the property of the City of Hamilton or a local Board;

(b) personal matters about an identifiable individual, including municipal or local board employees;

(c) a proposed or pending acquisition of land for municipal or local board purposes;

(d) labour relations or employee negotiations;

(e) litigation or potential litigation, including matters before administrative tribunals, affecting the City of Hamilton or local board;

(f) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

(g) a matter in respect of which a council or committee has authorized a meeting to be closed under another Act.

(h) the consideration of a request under the Municipal Freedom of Information Act and the Protection of Privacy Act, if the Council or Committee or Board is designated as head of the institution for the purposes of the Act.

(2) Prior to holding a meeting, or part of a meeting that is closed to the public, the Council or Committee shall state by resolution:

(a) the fact of the holding of the closed meeting, and

(b) the general nature of the matter to be considered at the closed meeting.

(3) A meeting shall not be closed to the public during the taking of a vote.

(4) Despite subsection 3 and Section 61 (2) of the Municipal Act, a meeting may be closed to the public during a vote if,

(a) Section 43(1) of this By-law permits the meeting to be closed to the public; and

(b) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the City or a local Board or persons retained by, or under, contract with the City or a local Board."

(f) Repeals section 44 and replaces it with the following:

"44. The short title of this By-law is "**The Procedural By-law**"."

(g) Repeals sections 45 and 46.

J. F. Holland

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

LEGAL: The City of Hamilton Procedural By-law must be amended no later than 1995 May 1 to incorporate the above provisions in order to comply with the Act.

BACKGROUND:

Each municipality has until 1995 May 1 to pass a procedural by-law that contains the provisions of Bill 163 which received Royal Assent on 1994 Decembeer 8. Our current Procedural By-law No. 82-203, as amended, even though requiring some housekeeping changes which will be submitted at the next meeting of the Committee, is complete in terms of the requirements of Bill 163 with the exception of the provisions provided for in the above recommendation.

SGH

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 95-

To Amend By-law No. 82-203

Respecting

THE PROCEDURAL BY-LAW

WHEREAS By-law No. 82-203 was enacted by Council on the 28th day of September 1982 as the City's Procedural By-law;

AND WHEREAS the Planning and Municipal Act and Statute Law Act, S.O. 1994, Chapter 23, requires municipalities to amend their procedural by-laws to comply with the requirements of the Act;

AND WHEREAS Council, on (specify, in adopting Item No. (specify) of the (specify) Report of the Finance and Administration Committee authorized this By-law;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. By-law 82-203 is amended by changing the preamble to read:

   To Regulate the Proceedings of the Municipal Council and Committees of the City of Hamilton.

2. Subsection (1) of Section 2 of By-law No. 82-203 is repealed and replaced by the following:

   "2. (1) The Regular Meetings of City Council shall, unless otherwise ordered and except as provided in subsection 2, be held at the City Hall on the second and last Tuesday of every month at seven-thirty o'clock p.m., except for the months of June, July, August and September, when one meeting only shall be held on the last Tuesday in each of the months and the month of December when one meeting only shall be held on the second Tuesday."

3. By-law No. 82-203 is amended by adding the following section:

   "29A. The Mayor or the Chairperson shall expel any person for improper conduct at a meeting."

4. Section 42 of By-law No. 82-203 is repealed and replaced by the following:

   "42. The release of municipal information shall be governed by the provisions of The Municipal Freedom of Information and Protection of Privacy Act."

8. Section 43 of By-law No. 82-203 is repealed and replaced by the following:

   "43. (1) Meetings of standing committees and committees shall be open to the public and no person shall be excluded therefrom except for improper conduct or if the subject matter being considered is:

   (a) the security of the property of the City of Hamilton or a local Board;

   (b) personal matters about an identifiable individual, including municipal or local board employees;

(c) a proposed or pending acquisition of land for municipal or local board purposes;

(d) labour relations or employee negotiations;

(e) litigation or potential litigation, including matters before administrative tribunals, affecting the City of Hamilton or local board;

(f) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

(g) a matter in respect of which a council or committee has authorized a meeting to be closed under another Act.

(h) the consideration of a request under the Municipal Freedom of Information Act and the Protection of Privacy Act, if the Council or Committee or Board is designated as head of the institution for the purposes of the Act.

(2) Prior to holding a meeting, or part of a meeting that is closed to the public, the Council or Committee shall state by resolution:

(a) the fact of the holding of the closed meeting, and

(b) the general nature of the matter to be considered at the closed meeting.

(3) A meeting shall not be closed to the public during the taking of a vote.

(4) Despite subsection 3 and Section 61 (2) of the Municipal Act, a meeting may be closed to the public during a vote if,

(a) Section 43(1) of this By-law permits the meeting to be closed to the public; and

(b) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the City or a local Board or persons retained by, or under, contract with the City or a local Board."

5. Section 44 is repealed and replaced with the following:

"44. The short title of this By-law is "**The Procedural By-law**"."

6. By-law No. 82-203 is amended by repealing Sections 45 and 46.

PASSED this day of 1995.

CITY CLERK MAYOR

8.(b.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 April 10

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: S. G. Hollowell
Acting City Clerk

SUBJECT: Request from The Spectator on behalf of the Hamilton Psychiatric Hospital to purchase an advertisement (message)

RECOMMENDATION:

That consideration be given to the request from The Spectator on behalf of the Hamilton Psychiatric Hospital to purchase a message for inclusion in its Annual Report being published for the first time in The Spectator during Mental Health Week - the first week of 1995 May.

S. G. Hollowell

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Cost approximations for a full page message start at $4,255., with GST costs extra, to a 1/5 page message for $621., with GST costs extra. Funding for this expenditure is available in the Advertising and Promotion Account of the City Clerk's Office Account No. CH 56302 12000.

BACKGROUND:

For the first time, the Hamilton Psychiatric Hospital will publish its Annual Report as a focus section in The Spectator during Mental Health Week, the first week of 1995 May.

The HPH anticipates that this publication will give them the opportunity to reach the community to promote awareness of mental health issues and to outline the role that they play in the community by providing services to persons who suffer from mental illnesses. It is also an effort by the HPH to dispel the myths and stereotypes associated with mental illness.

In this effort, The Spectator, on behalf of the Hamilton Psychiatric Hospital, is asking the community to sponsor an advertisement in this section to fund this project.

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GOVERNMENT DOCUMENTS

NOTICE OF SPECIAL MEETING

FINANCE AND ADMINISTRATION COMMITTEE
Tuesday, 1995 April 25th
7:00 o'clock p.m.
Room 233, City Hall

Susan K. Reeder.
Susan K. Reeder, Secretary,
Finance and Administration Committee

** All members of City Council are invited to attend

** As there is a Special Parks and Recreation Committee scheduled for 6:00 o'clock p.m., a light dinner will be available at 5:30 o'clock p.m. in Room 264.

A G E N D A

TREASURER

1. Approval of the 1995 Mill Rates and the Tax Levy By-laws.

2. Business Improvement Area Billing By-laws

3. Adjournment

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 April 19

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: **Approval of the 1995 Mill Rates and the Tax Levy By-Laws**

RECOMMENDATION:

a) That the 1995 mill rates for the City of Hamilton be approved, and the mill rates for the Region and Boards of Education be received to be included for billing purposes as detailed on the attached Exhibit "A", Column (6).

b) That the attached by-laws to fix the rates of taxation for Municipal, Regional, School, and total rates of taxation for the year 1995 be approved.

c) That the attached by-law to levy an annual tax on telephone companies doing business in Ontario be approved.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The total residential mill rates for 1995 increased 2.82%, resulting in a homeowner whose property assessment is an average $5,000 paying $2,063.56 in taxes, or an increase of $56.60. Further details are included in the Background and Exhibits "A"-"E".

BACKGROUND:

The following paragraphs highlight the components of the 1995 Mill Rates.

City Purposes

The revenue and expenditure estimates for the City of Hamilton as summarized on the attached Exhibit "B" were approved by City Council on April 6, 1995. This exhibit summarizes the 1995 Taxation Requirement, which indicates **a 0.88% increase in the City of Hamilton mill rate for 1995.**

Region Purposes

We have also received the 1995 requisition from the Region, which was approved by Regional Council on April 18, 1995, and is summarized on Exhibit "C". After accounting for the underlevy from the previous year and reducing their requirement by the shared revenues, **the increase in the 1995 mill rate for Regional purposes amounts to 2.96% over 1994.** The City's share percentage of the Regional net general levy for 1995 is 70.75% compared to 71.157% in 1994, a decrease of 0.6%.

Educational Purposes

Exhibit "D" shows the comparison of levies and mill rates for the Hamilton Board of Education for 1994 to 1995, **which results in an increase of 3.8% over 1994.** The Hamilton-Wentworth Roman Catholic Separate School Board has indicated an intention to match mill rates with the Hamilton Board of Education.

Attached are the following:

Exhibit "A" - A comparison of Mill Rates from 1991 to 1995 for both Residential and Non-Residential Mills.

Exhibit "B" - A Summary of the 1995 Taxation Requirement for the City of Hamilton.

Exhibit "C" - A comparison of the 1994 to 1995 Levies, Shared Revenues and Mill Rates for the Regional Municipality of Hamilton-Wentworth.

BACKGROUND: - Continued

Exhibit "D"	-	A comparison of the 1994 to 1995 Levies and Mill Rates for the Board of Education for the City of Hamilton.
Exhibit "E"	-	A comparison of Components and Total Residential Mill Rates on an Assessment of $5,000 from 1991 to 1995.
By-Law No. 95-	-	To fix the Rates of Taxation for Municipal Purposes for the Year 1995.
By-Law No. 95-	-	To fix the Rates of Taxation for Regional Purposes for the Year 1995.
By-Law No. 95-	-	To fix the Rates of Taxation for School Purposes for the Year 1995.
By-Law No. 95-	-	To fix the Total Rates for Municipal, Regional and School Purposes for the year 1995.
By-Law No. 95-	-	An Annual Tax on Telephone Companies doing Business in Ontario.

CK:jc
Attachments

City of Hamilton
Treasury

EXHIBIT "A"

COMPARISON OF COMPONENTS AND TOTAL MILL RATES FOR THE YEARS 1991 TO 1995 INCLUSIVE

Description (1)	1991 (2)	1992 (3)	1993 (4)	1994 (5)	1995 (6)	Increase + Decrease – 1994 to 1995 Mills (7)	% (8)
Residential							
City	98.6655	102.5572	104.2203	104.2203	105.1413	0.9210 +	0.88 +
Region	99.6322	103.5133	107.0004	106.9719	110.1432	3.1713 +	2.96 +
Sub Total	198.2977	206.0705	211.2207	211.1922	215.2845	4.0923 +	1.94 +
Education – Elementary	106.5221	116.9462	117.3363	113.1485	120.0501	6.9016 +	6.10 +
– Secondary	71.2649	69.1713	72.8626	77.0493	77.3765	0.3272 +	0.42 +
Sub Total	177.7870	186.1175	190.1989	190.1978	197.4266	7.2288 +	3.80 +
Total Mill Rates	376.0847	392.1880	401.4196	401.3900	412.7111	11.3211 +	2.82 +
Non–Residential							
City	116.0771	120.6555	122.6121	122.6121	123.6957	1.0836 +	0.88 +
Region	117.2144	121.7803	125.8828	125.8493	129.5803	3.7310 +	2.96 +
Sub Total	233.2915	242.4358	248.4949	248.4614	253.2760	4.8146 +	1.94 +
Education – Elementary	125.3201	137.5838	138.0427	133.1159	141.2354	8.1195 +	6.10 +
– Secondary	83.8410	81.3780	85.7207	90.6462	91.0312	0.3850 +	0.42 +
Sub Total	209.1611	218.9618	223.7634	223.7621	232.2666	8.5045 +	3.80 +
Total Mill Rates	442.4526	461.3976	472.2583	472.2235	485.5426	13.3191 +	2.82 +

Notes: The 1995 mill rates were calculated based on the 1994 unrevised assessment for 1995 taxation.

EXHIBIT "B"

THE CORPORATION OF THE CITY OF HAMILTON

SUMMARY OF THE 1995 TAXATION REQUIREMENT

DESCRIPTION (1)	1994 ESTIMATE (2)	1995 ESTIMATE (3)	CHANGE OVER 1994 ESTIMATE AMOUNT (4)	CHANGE OVER 1994 ESTIMATE PERCENT (5)
A. Summary of City Requirements Only				
Expenditures	165,569,080	165,106,610	(462,470)	−0.28%
Revenues	165,569,080	164,115,850	(1,453,230)	−0.88%
Additional Tax Requirement for 1995	0	990,760	990,760	
Summary of 1995 Total Levy				
1. 1994 Levy	112,267,740	112,267,740		
2. Levy decrease − .11% Assessment decrease		(154,590)	(154,590)	
3. Additional Tax Requirement as outlined above		990,760	990,760	
Total 1995 Levy	112,267,740	113,103,910	836,170	0.74%
B. Total Mill Rate Comparisons	1994 MILL RATES	1995 MILL RATES		
Residential :				
City	104.2203	105.1413	0.9210	0.88%
Non−Residential :				
City	122.6121	123.6957	1.0836	0.88%

NOTE: One Residential Mill for 1995 is estimated at $1,075,732

A 1% increase in the Residential Mill Rate for 1995 is estimated at $1,121,131

20−Apr−95

EXHIBIT "C"
(REGION)

THE CORPORATION OF THE CITY OF HAMILTON

COMPARISON OF THE 1994 TO 1995 LEVIES, SHARED REVENUES AND MILL RATES FOR THE REGIONAL MUNICIPALITY OF HAMILTON–WENTWORTH

Description (1)	1994 $/Mills (2)	1995 $/Mills (3)	Increase +/Decrease – 1994 to 1995 $/Mills (4)	% (5)
Net General Levy based on Equalized Assessment	86,074,896	90,187,267	4,112,371 +	4.78 +
Solid Waste Levy	10,838,910	10,151,144	687,766 –	6.35 –
Total General Levy	96,913,806	100,338,411	3,424,605 +	3.53 +
Add: Area rated charges – Storm Sewer	8,043,050	8,041,500	1,550 –	0.02 –
– Transit	19,586,410	19,201,410	385,000 –	1.97 –
Total Levy	124,543,266	127,581,321	3,038,055 +	2.44 +
Add: Underlevy from the previous year	190,607	231,760	41,153 +	21.59 +
Less: Shared Revenues:				
Payment in Lieu of Taxes	6,784,770	6,643,840	140,930 –	2.08 –
Telephone and Telegraph	1,804,420	1,773,550	30,870 –	1.71 –
McMaster University	519,150	526,070	6,920 +	1.33 +
Mohawk College	250,310	245,940	4,370 –	1.75 –
Hospitals	126,720	122,630	4,090 –	3.23 –
Correctional Institutions	16,740	16,410	330 –	1.97 –
	9,502,110	9,328,440	173,670 –	1.83 –
Balance on which Mill Rates are calculated	115,231,763	118,484,641	3,252,878 +	2.82 +
Mill Rates				
Residential	106.9719	110.1432	3.1713 +	2.96 +
Non–Residential	125.8493	129.5803	3.7310 +	2.96 +

EXHIBIT "D"
(EDUCATION)

THE CORPORATION OF THE CITY OF HAMILTON

COMPARISON OF THE 1994 TO 1995 LEVIES AND MILL RATES FOR THE BOARD OF EDUCATION FOR THE CITY OF HAMILTON

Description (1)	1994 $/Mills (2)	1995 $/Mills (3)	Increase +/Decrease – 1994 to 1995 $/Mills (4)	% (5)
Elementary Panel				
Levy Requirement approved by the Board of Education	92,669,081	95,516,660	2,847,579 +	3.07 +
Add: Underlevy from the previous year	129,217	261,906	132,689 +	102.69 +
Total Levy	92,798,298	95,778,566	2,980,268 +	3.21 +
Mill Rates (elementary) – Residential	113.1485	120.0501	6.9016 +	6.10 +
– Non–Residential	133.1159	141.2354	8.1195 +	6.10 +
Secondary Panel				
Levy Requirement approved by the Board of Education	63,111,406	61,554,313	1,557,093 –	2.47 –
Add: Underlevy from the previous year	80,270	178,347	98,077 +	122.18 +
Total Levy	63,191,676	61,732,660	1,459,016 –	2.31 –
Mill Rates (secondary) – Residential	77.0493	77.3765	0.3272 +	0.42 +
– Non–Residential	90.6462	91.0312	0.3850 +	0.42 +
Total Mill Rates				
Residential	190.1978	197.4266	7.2288 +	3.80 +
Non–Residential	223.7621	232.2666	8.5045 +	3.80 +

Note: As in past years, the Hamilton–Wentworth Separate School Board has indicated the intention to match the mill rates (both residential and non–residential) with the rates approved by the Board of Education for the City of Hamilton, as outlined above.

EXHIBIT "E"

THE CORPORATION OF THE CITY OF HAMILTON

COMPARISON OF COMPONENTS AND TOTAL RESIDENTIAL MILL RATES AND RESIDENTIAL REALTY TAXES ON AN ASSESSMENT OF $5,000

(for the years 1991 to 1995 inclusive)

Description	Mill Rates					Increase (Decrease) 1994 to 1995	
	1991	1992	1993	1994	1995	Mills/$	%
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Residential							
City	98.6655	102.5572	104.2203	104.2203	105.1413	0.9210	0.88%
Region	99.6322	103.5133	107.0004	106.9719	110.1432	3.1713	2.96%
Sub Total	198.2977	206.0705	211.2207	211.1922	215.2845	4.0923	1.94%
Education	177.7870	186.1175	190.1989	190.1978	197.4266	7.2288	3.80%
Total Residential Mill Rates	376.0847	392.1880	401.4196	401.3900	412.7111	11.3211	2.82%
% Increase over prior year	3.08%	4.28%	2.35%	−0.01%	2.82%		
Realty Taxes Based on an Assessment of $5,000 (excluding water/sewer surcharge)							
City Realty Taxes	$493.33	$512.79	$521.11	$521.11	$525.71	$4.60	0.88%
Region Realty Taxes	$498.16	$517.57	$535.00	$534.86	$550.72	$15.86	2.96%
Total City and Region	$991.49	$1,030.36	$1,056.11	$1,055.97	$1,076.43	$20.46	1.94%
Education Realty Taxes	$888.93	$930.59	$950.99	$950.99	$987.13	$36.14	3.80%
Total Amount Payable	$1,880.42	$1,960.95	$2,007.10	$2,006.96	$2,063.56	$56.60	2.82%

20−Apr−95

Bill NO.

The Corporation of the City of Hamilton

BY-LAW NO. 95-

TO FIX THE RATES OF TAXATION FOR MUNICIPAL PURPOSES FOR THE YEAR 1995

WHEREAS the Estimates for the year 1995 which set forth the revenues and expenditures of the Corporation of the City of Hamilton, were approved by the Council of the Corporation of the City of Hamilton on April 6, 1995 and

WHEREAS it is necessary to impose rates of taxation for the year 1995,

THEREFORE, the Council of The Corporation of the City of Hamilton enacts as follows:

1. That there shall be levied and raised on the whole of the rateable property of the Corporation of the City of Hamilton in the amount of $1,004,699,168.00, of which $602,177,741.00 is Residential assessment and $402,521,427.00 is Non-residential assessment, the following rates of taxation:

(1) For general municipal purposes 123.6957 mills producing	$124,276,960.00
(2) The amount to be levied and raised against "residential" assessments in the amount of $602,177,741.00 as required by The Municipal Act shall be reduced by $11,173,050.00 or 18.5544 mills in accordance with Section 9(3a) of The Ontario Unconditional Grants Act, R.S.O. 1990, Chapter O.38	$ 11,173,050.00
	$113,103,910.00

2. The rate to be levied against "residential" assessments as required by The Municipal Act for Municipal purposes is 105.1413 mills on the dollar.

3. The rate to be levied against "non-residential" assessments as required by The Municipal Act for Municipal purposes is 123.6957 mills on the dollar.

4. This by-law comes into force on the date on which it is enacted by the Council of The Corporation of the City of Hamilton.

PASSED this day of A.D., 1995.

CITY CLERK **MAYOR**

Bill NO.

The Corporation of the City of Hamilton

BY-LAW NO. 95-

TO FIX THE RATES OF TAXATION FOR REGIONAL PURPOSES FOR THE YEAR 1995

WHEREAS the Regional Municipality of Hamilton-Wentworth has approved the requisition to The Corporation of the City of Hamilton for $127,581,321.00 representing the City of Hamilton's share of the cost of operating the Regional Municipality of Hamilton-Wentworth for the year 1995.

WHEREAS after the deduction of $9,328,440.00 of 1995 estimated shared revenues, the funds for which have been provided in the City of Hamilton 1995 Estimates, and the addition of the 1994 underlevy in the amount of $231,760.00, it is intended to levy against the ratepayers of the City of Hamilton the resulting net amount of $118,484,641.00 for the year 1995.

NOW THEREFORE The Council of The Corporation of the City of Hamilton enacts as follows:

1. The estimated Corporation of the City of Hamilton's share of the Regional Municipality of Hamilton-Wentworth's 1995 levy, in the amount of $127,581,321.00 is hereby adopted as part of the 1995 Estimates of The Corporation of the City of Hamilton.

2. That there shall be levied and raised on the whole of the rateable property of The Corporation of the City of Hamilton in the amount of $1,004,699,168.00 of which $602,177,741.00 is Residential assessment and $402,521,427.00 is Non-residential assessment, the following rates of taxation:

(1) for Regional purposes 129.5803 mills producing	$130,189,220.00
(2) the amount to be levied and raised against "residential" assessments in the amount of $602,177,741.00 as required by The Municipal Act shall be reduced by $11,704,580.00 or 19.4371 mills in accordance with Section 9(3a) of The Ontario Unconditional Grants Act, R.S.O. 1990, Chapter O.38	$ 11,704,580.00
	$118,484,640.00

(3) the rate to be levied against "residential" assessments as required by The Municipal Act for Regional purposes is 110.1432 mills on the dollar

(4) the rate to be levied against "non-residential" assessments as required by The Municipal Act for Regional purposes is 129.5803 mills on the dollar

(5) this by-law comes into force on the date on which it is enacted by the Council of The Corporation of the City of Hamilton.

PASSED this day of A.D., 1995.

CITY CLERK **MAYOR**

BILL NO.

The Corporation of the City of Hamilton

BY-LAW NO. 95-

TO FIX THE RATES OF TAXATION FOR SCHOOL PURPOSES FOR THE YEAR 1995

WHEREAS the estimates of revenues and expenditures of the Board of Education for the City of Hamilton and the Hamilton-Wentworth Roman Catholic Separate School Board, for school purposes, have been submitted to the Finance and Administration Committee the City of Hamilton.

WHEREAS it is necessary to impose rates of taxation for the year 1995 for school purposes.

THEREFORE, the Council of The Corporation of the City of Hamilton enacts as follows,

1. That there shall be levied and raised on the whole of the rateable property of The Corporation of the City of Hamilton in the amount of $1,004,699,168.00, of which $602,177,741.00 is Residential assessment and $402,521,427.00 is Non-residential assessment, the following rates of taxation,

(a) for Public School elementary purposes 141.2354 mills on all rateable property in the amount of $742,641,656.00, of which $429,955,158.00 is Residential assessment and $312,686,498.00 is Non-residential assessment, liable for Public School rates as requested to be levied by the Board of Education for the City of Hamilton producing $104,887,290.00

(b) for Separate School elementary purposes 141.2354 mills on all rateable property in the amount of $262,057,512.00, of which $172,222,583.00 is Residential assessment and $89,834,929.00 is Non-residential assessment, liable for Separate School rates as requested to be levied by the Hamilton-Wentworth Roman Catholic Separate School Board producing 37,011,800.00

(c) for Public School secondary purposes 91.0312 mills on all rateable property in the amount of $742,641,656.00 of which $429,955,158.00 is Residential assessment and $312,686,498.00 is Non-residential assessment, liable for Secondary School rates as requested to be levied by the Board of Education for the City of Hamilton producing 67,603,560.00

(d)	for Separate School Secondary purposes 91.0312 mills on all rateable property in the amount of $262,057,512.00 of which $172,222,583.00 is Residential assessment and $89,834,929.00 is Non-residential assessment liable for Separate School rates as requested to be levied by the Hamilton-Wentworth Roman Catholic Separate School Board producing	23,855,410.00
		$233,358,060.00
(e)	The amount to be levied and raised against "residential" assessments in the amount of $429,955,158.00 determined as required by The Municipal Act shall be reduced by $9,108,730.00 or 21.1853 mills which is the amount of the estimated revenue from payments to be received by the Board of Education of The Corporation of the City of Hamilton in 1995 for elementary school purposes under The Education Act, R.S.O. 1990, Chapter E. 2	$ 9,108,730.00
(f)	The amount to be levied and raised against "residential" assessments in the amount of $172,222,583.00 as required by The Municipal Act shall be reduced by $3,648,590.00 or 21.1853 mills which is the amount of the estimated revenue from payments to be received by the Hamilton-Wentworth Roman Catholic Separate School Board in 1995 for elementary school purposes under the Education Act, R.S.O. 1990, Chapter E. 2	3,648,590.00
(g)	The amount to be levied and raised against "residential" assessments in the amount of $429,955,158.00 determined as required by The Municipal Act shall be reduced by $5,870,900.00 or 13.6547 mills which is the amount of the estimated revenue from payments to be received by The Board of Education of The Corporation of the City of Hamilton in 1995 for secondary school purposes under The Education Act, R.S.O. 1990, Chapter E. 2	5,870,900.00
(h)	The amount to be levied and raised against "residential" assessments in the amount of $172,222,583.00 determined as required by The Municipal Act shall be reduced by $2,351,640.00 or 13.6547 mills which is the amount of the estimated revenue from payments to be received by the Hamilton-Wentworth Roman Catholic Separate School Board in 1995 for secondary school purposes under The Education Act, R.S.O. 1990, Chapter E. 2	2,351,640.00
		$212,378,200.00

2. The Education rate to be levied against "residential" assessments as required by The Municipal Act for:

(a) Public School supporters is 197.4266 mills on the dollar, and

(b) Separate School supporters is 197.4266 mills on the dollar.

3. The Education rate to be levied against "non-residential" assessments as required by The Municipal Act for:

(a) Public School supporters is 232.2666 mills on the dollar, and

(b) Separate School supporters is 232.2666 mills on the dollar.

4. The By-law comes into force on the date on which it is enacted by the Council of The Corporation of the City of Hamilton.

PASSED this day of A.D., 1995.

CITY CLERK **MAYOR**

BILL NO.

The Corporation of the City of Hamilton

BY-LAW NO. 95-

TO FIX THE TOTAL RATES OF TAXATION FOR MUNICIPAL, REGIONAL AND SCHOOL PURPOSES FOR THE YEAR 1995

WHEREAS the Council of The Corporation of the City of Hamilton has approved By-laws 95- , 95- and 95- being By-laws to impose rates of taxation for the year 1995 for:

(a) Municipal purposes

(b) Regional purposes

(c) Education purposes

AND WHEREAS it is intended to consolidate herein the levies referred to in said by-laws.

NOW THEREFORE The Council of The Corporation of the City of Hamilton enacts as follows:

1. The total rate to be levied against "residential" assessments as required by The Municipal Act:

   (a) by Public School supporters is 412.7111 on the dollar, and

   (b) by Separate School supporters is 412.7111 on the dollar.

2. The total rate to be levied against "non-residential" assessments as required by The Municipal Act:

   (a) by Public School supporters is 485.5426 on the dollar, and

   (b) by Separate School supporters is 485.5426 on the dollar.

3. This By-law comes into force on the date on which it is enacted by The Council of The Corporation of the City of Hamilton.

PASSED this day of A.D., 1995.

CITY CLERK **MAYOR**

BILL NO.

The Corporation of the City of Hamilton

BY-LAW NO. 95-

To Levy:

AN ANNUAL TAX ON TELEPHONE COMPANIES DOING BUSINESS IN ONTARIO

Respecting:

THE BELL TELEPHONE COMPANY OF CANADA

WHEREAS Section 159 of the Municipal Act, R.S.O. 1990, Chap. M.45, empowers the Council of The Corporation of the City of Hamilton to levy on every telephone company doing business in Ontario an annual tax equal to 5 per cent of the total gross receipts of such company for the preceding year;

AND WHEREAS The Bell Telephone Company of Canada is a telephone company doing business in the Municipality of the City of Hamilton;

AND WHEREAS the gross receipts of The Bell Telephone Company of Canada, doing business within the Municipality of the City of Hamilton is in the amount of $133,097,519.00 the year ended the 31st day of December, 1994;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. It is hereby authorized and directed that a tax for the fiscal year ended December 31, 1995, be levied on the Bell Telephone Company of Canada Limited in the amount of $6,654,875.95.

2. That the tax levied hereunder shall be collected in the same manner as municipal taxes are collectible and is a special lien under Section 382 of the Municipal Act on all the lands of The Bell Telephone Company of Canada.

PASSED this day of A.D., 1995.

CITY CLERK **MAYOR**

2.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 April 21

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: **Business Improvement Area By-Laws**

RECOMMENDATION:

That the 1995 levy by-laws for the seven (7) Business Improvement Areas in the City of Hamilton be approved as follows:

Business Improvement Areas	1995 Levy
Barton General	$6,000.00
Westdale	$25,000.00
International Village	$46,376.00
Ottawa Street North	$47,500.00
Concession Street	$8,575.00
Downtown Promenade	$84,000.00
Main Street West	$4,400.00

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: Allan C. Ross

To raise operating funds for 1995 as required by the Boards of Management for the Business Improvement Areas.

BACKGROUND:

This mill rate is set in accordance with the Business Improvement Area Budget as approved by City Council in 1995. Any uncollected levies for the respective area from prior years will be deducted from the amounts transferred to the board.

TAB/aa

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 95-

To Authorize:

The Levy of a Special Charge

In Respect of:

BARTON STREET EAST #1 BUSINESS IMPROVEMENT AREA

GENERALLY COVERING BOTH SIDES OF BARTON STREET FROM THE WEST SIDE OF WELLINGTON STREET TO THE EAST SIDE OF WENTWORTH STREET

WHEREAS subsection 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

> (17) Subject to such maximum and minimum charges as the Council may specify by by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Section 16 of the Third Report of the Planning and Development Committee on January 10, 1995 approved the amount of $6,000.00 for 1995, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 87-178.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 220(17) of the Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.

2. The special charge levied shall be sufficient to provide a sum equal to the sum of $6,000.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 87-308 together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

PASSED this day of A.D. 1995

CITY CLERK MAYOR

SCHEDULE "A"

To By-law No.

1.	Total assessed value of all the real property in the area used as the basis for computing business assessment.	$387,670.00
2.	The Mill Rate for the special charge is calculated by:	15.4771
	a) dividing the approved estimates of the Board of Management by	
	b) the total assessed value and	
	c) multiplying the result by 1,000	
3.	Approved estimate for 1995	$6,000.00

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 95

To Authorize:

The Levy of a Special Charge

In Respect of:

WESTDALE VILLAGE BUSINESS IMPROVEMENT AREA

GENERALLY COVERING KING STREET WEST AND THE AREA OF THE INTERSECTION OF CLINE AVENUE AND KING STREET WEST AND EXTENDING TO AN AREA WEST OF NEWTON AVENUE AND STERLING STREET

WHEREAS subsection 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

> (17) Subject to such maximum and minimum charges as the Council may specify by by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Section 12 of the Third Report of the Planning and Development Committee on January 10, 1995 approved the amount of $25,000.00 for 1995, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 87-178.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 220(17) of the Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.

2. The special charge levied shall be sufficient to provide a sum equal to the sum of $46,376.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 87-308 together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

SCHEDULE "A"

To By-law No.

1.	Total assessed value of all the real property in the area used as the basis for computing business assessment.	$927,144.00
2.	The Mill Rate for the special charge is calculated by:	50.0202
	a) dividing the approved estimates of the Board of Management by	
	b) the total assessed value and	
	c) multiplying the result by 1,000	
3.	Approved estimate for 1995	$46,376.00

PASSED this day of A.D. 1995

CITY CLERK MAYOR

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 95-

To Authorize:

The Levy of a Special Charge

In Respect of:

THE OTTAWA STREET NORTH BUSINESS IMPROVEMENT AREA

GENERALLY COVERING OTTAWA STREET NORTH BETWEEN MAIN STREET EAST AND EXTENDING TO AN AREA NORTH OF BARTON STREET EAST

WHEREAS subsection 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

> (17) Subject to such maximum and minimum charges as the Council may specify by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Section 18 of the 3rd Report of the Planning and Development Committee on January 10, 1995 approved the amount of $47,500.00 for 1995, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 87-178.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 220(17) of the Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.

2. The special charge levied shall be sufficient to provide a sum equal to the sum of $47,500.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 87-308 together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

SCHEDULE "A"

To By-law No.

1. Total assessed value of all the real property in the area used as the basis for computing business assessment. $1,412,700.00

2. The Mill Rate for the special charge is calculated by: 33.6236

   a) dividing the approved estimates of the Board of Management by

   b) the total assessed value and

   c) multiplying the result by 1,000

3. Approved estimate for 1995 $47,500.00

PASSED this day of A.D. 1995

CITY CLERK MAYOR

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 95

To Authorize:

The Levy of a Special Charge

In Respect of:

THE CONCESSION STREET BUSINESS IMPROVEMENT AREA

GENERALLY COMPRISED OF LANDS COVERING CONCESSION STREET BETWEEN EAST 18TH STREET AND EAST 25TH STREET

WHEREAS subsection 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

> (17) Subject to such maximum and minimum charges as the Council may specify by by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Section 22 of the Third Report of the Planning and Development Committee on January 10, 1995 approved the amount of $8,575.00 for 1995, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 87-178.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 220(17) of the Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.

2. The special charge levied shall be sufficient to provide a sum equal to the sum of $8,575.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 87-308 together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

SCHEDULE "A"

To By-law No.

1. Total assessed value of all the real property in the area used as the basis for computing business assessment. $783,162.00

2. The Mill Rate for the special charge is calculated by: 10.9492

   a) dividing the approved estimates of the Board of Management by

   b) the total assessed value and

   c) multiplying the result by 1,000

3. Approved estimate for 1995 $8,575.00

PASSED this day of A.D. 1995

CITY CLERK MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 95

DOWNTOWN HAMILTON BUSINESS IMPROVEMENT AREA

To levy the Special Charges for 1995 for the Improvement Area in the Area between King William Street, Mary Street, Main Street East and James Street, designated by By-Law 82-151

WHEREAS, pursuant to Section 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, the Board of Management for the Improvement Are has submitted Estimates for the year 1995:

AND WHEREAS, a Special Charge is to be levied to raise the sum equal to the total of the Estimates.

THEREFORE, the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Estimates of the Board of Management for the Improvement Area in the area between King William Street, Mary Street, Main Street East and James Street for 1995 in the amount of $84,000.00 are hereby approved.

2. In order to raise the said $84,000.00 there is hereby levied a mill rate of 10.6129 as a Special Charge on the persons in the area assessed for business assessment, in accordance with By-law 82-152, as follows:

   (1) The assessed value of all the real property in the Areas used as the basis for computing business assessment (known herein as "the Total Assessed Value") is $8,624,578.

   (2) The assessed value of the real property that is used as the basis for computing the business assessment for Kelloryn Hotels (Hamilton) Inc with respect to the hotel business known as "The Royal Connaught"

at 82 King Street East is	592,212
This is reduced by two-thirds	394,808
to produce the Reduced Assessed Value of that business:	**197,404**

   (3) The assessed value of the real property that is used as the basis for computing the business assessment of Premiere Hotels Ltd with respect to the hotel business known as "The Ramada Hotel"at 150 King Street East

is	472,351
This is reduced by two-thirds	314,901
to produce the Reduced Assessed Value of the business:	**157,450**

   (4) "The Reduced Total Assessed Value" is $8,624,578 - (394,808+314,901): $7,914,869

   (5) The Mill Rate for the Special Charge is calculated by:

      (a) dividing the approved estimates of the Board of Management, $84,000.00

(b) by the Reduced Total Assessed Value, $7,914,869 and

(c) multiplying the result by 1,000: 10.6129

3. The portion of the Special Charge which is to be paid by the hotel business in sub-paragraph 2.(2) shall be determined by multiplying its Reduced Assessed Value by the Mill Rate.

4. The portion of the Special Charge to be paid by the hotel business in sub-paragraph 2.(3) shall be determined by multiplying its Reduced Assessed Value by the Mill Rate.

5. The portion of the Special Charge to be paid by each of the other persons in the Area assessed for business assessment shall be determined by multiplying the assessed value of the real property that is used as the basis for computing the business assessment of such person by the Mill Rate.

PASSED this day of A.D. 1995

CITY CLERK MAYOR

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 95

To Authorize:

The Levy of a Special Charge

In Respect of:

THE MAIN STREET WEST ESPLANADE BUSINESS IMPROVEMENT AREA

GENERALLY COMPRISED OF LANDS ON THE EAST AND WEST SIDES OF MAIN STREET WEST BETWEEN LOCKE STREET ON THE WEST AND QUEEN STREET ON THE EAST

WHEREAS subsection 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

> (17) Subject to such maximum and minimum charges as the Council may specify by by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Section 14 of the Third Report of the Planning and Development Committee on January 10, 1995 approved the amount of $4,400.00 for 1995, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 87-178.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 220(17) of the Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.

2. The special charge levied shall be sufficient to provide a sum equal to the sum of $4,400.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 87-308 together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

SCHEDULE "A"

To By-law No.

1.	Total assessed value of all the real property in the area used as the basis for computing business assessment.	$237,419.00
2.	The Mill Rate for the special charge is calculated by:	18.5326
	a) dividing the approved estimates of the Board of Management by	
	b) the total assessed value and	
	c) multiplying the result by 1,000	
3.	Approved estimate for 1995	$ 4,400.00

PASSED this day of A.D. 1995

CITY CLERK MAYOR

URBAN/MUNICIPAL
CA4 ON HBL A05
C51F31
1995



Urban/Municipal Librarian
Hamilton Public Library
2nd Floor

NOTICE OF MEETING

URBAN MUNICIPAL
MAR 28 1995
GOVERNMENT DOCUMENTS

FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, 1995 May 2nd
1:30 o'clock p.m.
Room 233, City Hall

Susan K. Reeder.

Susan K. Reeder, Secretary
Finance and Administration Committee

AGENDA

1. **IN CAMERA AGENDA**

2. **CONSENT AGENDA**

3. **CITY SOLICITOR**

   Damage Award: Beckett Decision/Board of Inquiry

4. **CITY CLERK**

   Transient Trader By-law

5. **CITY TREASURER**

   (a) Interim Financing 1995 International Great Lakes/St. Lawrence Mayor's Conference

   (b) Interim Financing Grey Cup Festival

6. **DIRECTOR OF PROPERTY AND BUILDING COMMISSIONER**

   Various Maintenance Services Required by the Real Estate Division of the Property Department and the Building Department, during 1995, 1996 and 1997

7. **DIRECTOR OF PROPERTY**

Offer to Purchase - 775 Upper Wentworth Street - Elite Realty Corp.

8. **REFERRAL FROM CITY COUNCIL**

Correspondence - Stanley M. Makuch, Borden & Elliot on behalf of the Hamilton Harbour Commissioners - Appeal to the City's Development Charges By-law 95-072.

9. **OTHER BUSINESS**

10. **ADJOURNMENT**

2.

CONSENT AGENDA

FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, 1995 May 2nd
1:30 o'clock p.m.
Room 233, City Hall

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

Minutes of the regular meeting held Tuesday, 1995 April 18th

B. CITY CLERK

(i) Use of the second floor foyer - Hamilton Artists Inc. - Thursday, 1995 April 13 to Friday, 1995 May 5

(ii) Tow Truck By-law

C. TREASURER

(i) Funding - Construction of an Independent Concrete Sidewalk on the south side of Brampton Street between Woodward Avenue and Dunn Avenue

(ii) Funding - Construction of an Independent Concrete Sidewalk on Upper Gage Avenue between the Freeway and Stone Church Road

D. DIRECTOR OF PROPERTY

Closure of Property Department Capital Projects

E. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE

Information Items

Tuesday, 1995 April 18
1:30 o'clock p.m.
Room 233, City Hall

The Finance and Administration Committee met.

A.

There were present: Alderman B. Charters, Chairman
Alderman D. Ross, Vice-Chairman
Alderman D. Drury
Alderman T. Anderson
Alderman V. Agro
Alderman D. Wilson
Alderman M. Kiss
Alderman D. Agostino

Regrets: Mayor Robert M. Morrow - City Business

Also present: J. Pavelka, Chief Administrative Officer
J. Hindson, Director of Information Systems
A. Ross, Treasurer
P. Noé Johnson, City Solicitor
R. Sabo, Law
J. Schatz, City Clerk
D. Vyce, Director of Property
D. Lee, City Clerk's Office
Susan K. Reeder, Secretary

A G E N D A

1. CONSENT AGENDA

The Committee was in receipt of its Consent Agenda and approved the following:

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

The Committee was in receipt of the minutes of its regular meeting held on Tuesday, 1995 April 4, and approved these minutes as circulated.

B. CITY CLERK - Use of the City Council Chambers and Aldermen's Lounge - Office of the Umpire -1995 May 1-5

The Committee was in receipt of a report from the City Clerk dated 1995 April 4, respecting the above noted matter.

The Committee approved the following:

> That approval be given to the actions taken by the City Clerk in approving the use of the City Hall Council Chambers and the Aldermen's Lounge on 1995 May 1 - 5 inclusive, for Hearings before the Umpire (a Federal Court of Canada Judge), between the hours of 9:00 o'clock a.m. to 3:00 o'clock p.m. each day.

C. DIRECTOR OF PROPERTY

(i) Mountain Arena Roof Replacement

The Committee was in receipt of a report from the Director of Property dated 1995 April 7, respecting the above noted matter.

The Committee approved the following:

(a) That approval be given to issue a purchase order in the amount of $235,400. inclusive of G.S.T., ($15,400.), to commission Solar Roofing and Sheet Metal Ltd. of Toronto, for the replacement of the roof at the Mountain Arena, being the lowest price of seven quotes received in accordance with the specifications issued by the Manager of Purchasing; and,

(b) That as the re-roofing of Mountain Arena could take up to 12 weeks to complete, and that this project must commence on or about 1995 May 3, in order to facilitate a Lacrosse tournament that is scheduled to start on 1995 August 1, and in order to meet this time line the selected Contractor must have a Purchase Order immediately so that he can place an order for the required materials. The above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy that states, "An order can be placed upon the approval of two of the following, the Mayor, an appropriate Committee Chairman, the Chief Administrative Officer and that any action taken under this provision to be reported to the next regular meeting of City Council; and,

(c) That the Mayor and City Clerk be authorized to execute a contract in a form satisfactory to the City Solicitor.

(ii) Realty Sales Procedural By-law 95-049 - Declaration of Surplus Property

The Committee was in receipt of a report from the Director of Property dated 1995 April 11, respecting the above noted matter. The Committee approved the following:

That the following properties be declared surplus to the requirements of the City in accordance with the Realty Sales Procedural By-law 95-049:

(a) Parts 1, 3, 4 and 5 on Plan 62R-12941 Lake Avenue at Huckleberry Drive, Hamilton; and,

(b) Parts 1, 2, 3, 4 and 5 on Plan 62R-7697 Bow Valley, Hamilton.

D. TREASURER - 1995 Request for Subsidy Monies under The Public Transportation and Highway Improvement Act

The Committee was in receipt of a report from the Treasurer dated 1995 April 7, respecting the above noted matter.

The Committee approved the following:

(a) That the Treasurer be authorized to make application to the Minister of Transportation for the City of Hamilton 1995 Normal and Supplementary Requests for Subsidy Monies under the Public Transportation and Highway Improvement Act based on the estimated total and eligible maintenance and construction expenditures (as contained in the 1995 Current and Capital Budgets) attached herewith and marked Appendix "A"; and,

(b) That the Treasurer be authorized to petition the Minister for subsidy payments as necessary; and,

(c) That the Treasurer be authorized to monitor expenditures during 1995 and incur only minimal 100% dollars to obtain maximum subsidy dollars in the event that a Supplementary Application is not approved.

E. COMMISSIONER OF HUMAN RESOURCES - Appointments To and Terminations From Permanent Positions

The Committee was in receipt of a report from the Commissioner of Human Resources dated 1995 April 5, respecting the above noted matter. The Committee approved the following:

That the listing of Appointments To and Terminations from Permanent Positions with the Corporation of the City of Hamilton to 1995 April 7, attached herewith and marked Appendix "B", be approved.

F. **SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE - Information Items**

The Committee was in receipt of a report from the Secretary of the Finance and Administration Committee dated 1995 April 12, respecting the above noted matter and approved the following:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Correspondence - Rev. Stephen Csiszar, Pastor, Our Lady of Lourdes Church, 416 Mohawk Road East - adult movies in convenience stores

(b) Information Report - City Solicitor - Local Government Disclosure of Interest Act - report dated 1995 April 5

(c) Information Report - Secretary, Advisory Committee on Equitable Representation on Committees/Boards/Commissions - Selection Process for Citizens applying for membership on City Committees/Boards/Commissions and Guideline to Fair and Equitable Interviews - report dated 1995 April 10

(d) Correspondence - FCM - Consent Form - Elected members of municipal Councils who wish to stand for election to the National Board of Directors - letter dated 1995 March 31

(e) Information Report - Treasurer - Tax Arrears Property - 607 Queen Victoria Drive - report dated 1995 April 11

(f) Report - Director of Property - Real Estate Division of the Property Department Services to the Region for the first quarter of 1995 - report dated 1995 April 11

(g) Correspondence referred from City Council - John G. Attridge; C. Yachetti, Canadians for Positive Community Standards - Sale of Adult Videos in Convenience Stores

2. **CHIEF ADMINISTRATIVE OFFICER - Civic Reception - Hamilton International Air Show (tabled from previous meeting)**

The Committee was in receipt of a report from the Chief Administrative Officer dated 1995 April 12, respecting the above noted matter. The report recommended that the City of Hamilton not host a reception , and that the funding for such be derived from the $300,000. funding provided by the Region.

The Committee discussed this matter and approved the following:

(a) That the City of Hamilton host a reception for the Hamilton International Air Show on Friday, 1995 June 16, at a cost of $5,000.; and,

(b) That the funding for this expenditure be financed from the Special Civic Receptions and Delegation Hostings Account No. CH 55314 84010.

3. **ASSOCIATION OF MUNICIPALITIES OF ONTARIO - Request for the City to support its six-part strategy for reform entitled "Better Government, Lower Cost: the New Municipal Mandate"**

The Committee was in receipt of correspondence from the Association of Municipalities of Ontario, requesting the City's endorsement of its Six-part strategy entitled "Better Government - Lower Cost".

Following discussion, the Committee agreed to receive this material for information, and refer it to staff for a review and report back with comments on those portions of the strategy that staff would recommend could be supported, and/or those portions that disagree with the City's position.

4. **TREASURER - Ontario Municipal Board Hearing - 986 - 998 Upper Wentworth Street**

The Committee was in receipt of a report from the Treasurer dated 1995 April 10, respecting the above noted matter.

The Committee approved the following:

> That the owner's cost of the Ontario Municipal Board Hearing relating to 986-988 Upper Wentworth Street in the amount of $8,000. be financed from the Unclassified Account, Centre No. CH 24201.

5. **REFERRAL FROM CITY COUNCIL - Adult Videos in Convenience Stores**

The Committee was in receipt of a memorandum from the Acting City Clerk dated 1995 April 12, respecting the above noted matter.

Following discussion, the Committee approved the following:

(a) That a task-oriented Task Force be established to review the recommended changes respecting the regulating and governing of adult videos, and the regulating of video stores in which adult videos are provided; and,

(b) That the Task Force consist of Aldermen B. Charters, D. Wilson, M. Kiss and representatives from 7 community organizations and 3 members at large who have been involved in this issue, as well as resource staff from the City Clerk's Office and the Law Department; and,

(c) That the Task Force report back to the Finance and Administration Committee at its 1995 May 23rd meeting; and,

(d) That the Task Force be dissolved after it has completed its mandate and submitted its report to the Finance and Administration Committee

6. **DIRECTOR OF PUBLIC WORKS - Appointment of a Committee to select Street Vendors**

The Committee was in receipt of a report from the Director of Public Works dated 1995 April 12, respecting the above noted matter.

The Committee approved the following:

> That Aldermen B. Charters, T. Anderson and D. Wilson to appointed to serve on a five-person Committee to review and bring forward recommendations relative to the selection of successful Street Vendors resulting from the proposal call.

7. CITY SOLICITOR

(a) Quit Claim - rear of 449 John Street North

The Committee was in receipt of a report from the City Solicitor dated 1995 March 27, respecting the above noted matter and approved the following:

That the City quit claim and release a parcel of land measuring about 2 feet by 26 feet (Part 6, Plan 62R-8773) at the rear of 499 John Street North to George and Nancy Sterling, the current owners of 499 John Street North.

(b) Quit Claim Deed to National Steel Car Limited - 602 Kenilworth Avenue North

The Committee was in receipt of a report from the City Solicitor dated 1995 April 6, respecting the above noted matter.

The Committee approved the following:

(a) That the Mayor and City Clerk be authorized to execute a Quit Claim Deed to National Steel Car Limited, (owner of 602 Kenilworth Avenue North), to confirm that the City has no right, title, or other proprietary interest in the 602 Kenilworth Avenue North Rail Car Plant; and,

(b) That the property being quit claimed is briefly described as Parts 1 to 6 on Reference Plan 62R-12951 and is fully described in Instrument Number 179847, registered on 1994 March 31.

8. CITY CLERK

(a) Amendments to Procedural By-law No. 82-203

The Committee was in receipt of a report from the Acting City Clerk dated 1995 April 10, respecting the above noted matter. The Committee approved the following:

That a by-law which amends City of Hamilton Procedural By-law No. 82-203 to comply with the requirements of the Planning and Municipal Act and Statute Law Act, S.O. 1994, as follows, be approved:

(a) Amends the Preamble to read: "To Regulate the Proceedings of the Municipal Council and Committees of the City of Hamilton."

(b) Amends section 2(1) to include "City Hall" as the place at which City of Hamilton Council Meetings are held.

(c) Adds the following as section 29A:

"29A. The Mayor or the Chairperson shall expel any person for improper conduct at a meeting."

(d) Repeals section 42 and replaces it with the following:

"42. The release of municipal information shall be governed by the provisions of The Municipal Freedom of Information and Protection of Privacy Act."

(e) Repeals section 43 and replaces it with the following:

"43. (1) Meetings of standing Committees and Committees shall be open to the public and no person shall be excluded therefrom except for improper conduct or if the subject matter being considered is:

(a) the security of the property of the City of Hamilton or a local Board;

(b) personal matters about an identifiable individual, including municipal or local board employees;

(c) a proposed or pending acquisition of land for municipal or local board purposes;

(d) labour relations or employee negotiations;

(e) litigation or potential litigation, including matters before administrative tribunals, affecting the City of Hamilton or local board;

(f) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

(g) a matter in respect of which a Council or Committee has authorized a meeting to be closed under another Act.

(h) the consideration of a request under the Municipal Freedom of Information Act and the Protection of Privacy Act, if the Council or Committee or Board is designated as head of the institution for the purposes of the Act.

(2) Prior to holding a meeting, or part of a meeting that is closed to the public, the Council or Committee shall state by resolution:

(a) the fact of the holding of the closed meeting, and,

(b) the general nature of the matter to be considered at the closed meeting.

(3) A meeting shall not be closed to the public during the taking of a vote.

(4) Despite subsection 3 and Section 61 (2) of the Municipal Act, a meeting may be closed to the public during a vote if,

(a) Section 43(1) of this By-law permits the meeting to be closed to the public; and

(b) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the City or a local Board or persons retained by, or under, contract with the City or a local Board."

(f) Repeals section 44 and replaces it with the following:

"44. The short title of this By-law is "The Procedural By-law"."

(g) Repeals sections 45 and 46.

(b) **Request from The Spectator on behalf of the Hamilton Psychiatric Hospital to purchase an advertisement (message)**

The Committee was in receipt of a report from the Acting City Clerk dated 1995 April 10, respecting the above noted matter.

The Committee agreed to "receive and take no action" on this matter.

ADDED - INFORMATION REPORT - TREASURER

The Committee was in receipt of an Information Report from the Treasurer dated 1995 April 18th entitled "1994 Financial Statement Presentations vs Accounting Treatment". The Treasurer spoke to this report, and the Committee agreed to receive this document for information purposes.

ADDED - INFORMATION REPORT - TREASURER AND DIRECTOR OF INFORMATION SYSTEMS

The Committee was in receipt of an Joint Information Report from the Treasurer and the Director of Information Systems dated 1995 April 13 entitled "Revised realty tax notifications/bills/monthly automatic payment plan (MAPP) statements to be issued in May 1995". The Treasurer spoke to this report, and the Committee agreed to receive this document for information purposes.

ADDED - TREASURER - SPECIAL MEETING TO SET THE MILL RATE

The Treasurer gave reference to the need to hold a Special Meeting of the Finance and Administration Committee at 7:00 o'clock p.m. on Tuesday, 1995 April 25th, prior to City Council concerning the setting of the Mill Rate. The Committee agreed that a special meeting should be called.

10. ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder.

Susan K. Reeder
Secretary
1995 April 18

City of Hamilton
Treasury

Appendix "A" referred to in Section 4 (a) of the **TWELFTH** Report of the Finance and Administration Committee for 1995.

The Public Transportation and Highway Improvement Act
1995 Request for Allocation of Subsidy Monies

Detail of Expenditure (1)	Estimated Total Expenditure (2)	Estimated Eligible Expenditure (3)	Estimated Subsidy Dollars (4)
Normal Application			
Maintenance	9,393,970	7,908,060	3,954,030
Construction	8,198,370	4,938,950	2,469,470
	17,592,340	12,847,010	6,423,500
Supplementary Application			
Construction	4,750,780 *	1,880,490	940,240
	4,750,780	1,880,490	940,240
Total Applications	22,343,120	14,727,500	7,363,740

* These expenditures will represent 100% dollars if the Supplementary Application is not approved.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Dean Jamieson	I	Street Sweeper/Flush Operator (D-14)	Public Works	Replacing Mr. T. Warburton - promoted Jan. 02/95	$36,052.64	March 05/95
Mr. Steve Matthews	I	Signs & Markings Specilist (11-E)	Traffic	Replacing Mr. P. Dubord - promoted, March 06/95	$29,714.88 to $32,754.28	March 06/95
Mr. Bruno Perino	I	Traffic Signal Foreman/ Woman (F5)	Traffic	Replacing Mr. O. Meloche - retired, Dec. 31/94	$46,411.56 to 448,986.60	March 06/95
Mr. Tom Warburton	I	Foreman/Woman II (F1)	Public Works	Replacing Mr. J. McKay - retired, Dec. 30/94	$38,074.40 to $43,763.20	Jan. 02/95

Prepared April 07, 1995

Status

Internal - I
External - E

Appendix "B" referred to in Section 5 of the TWELFTH Report of the Finance and Administration Committee for 1995.

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Noel Cooper	Senior Systems Analyst	Information Systems	Retired (Early)	22 years, 7 months	March 31/95
Mr. Gerry Ferrell	Zoning Examiner/Code Correlator	Building	Terminated	14 years, 2 months	March 09/95
Ms. Sharon McCallum	Fire Communications Officer	Fire	Retired (Early)	13 years, 10 months	March 31/95

Prepared April 7, 1995

Glossary of Terms

Terminated - long term disability
- discharge
- downsizing
- redundant

Resigned - personal betterment
- personal reasons

B(i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 11 April 1995

REPORT TO: Susan K. Reeder, Secretary
Finance & Administration Committee

FROM: J.J. Schatz
City Clerk

SUBJECT: Use of the Second Floor Foyer - Hamilton Artists Inc.
Thursday, 1995 April 13 to Friday, 1995 May 5

RECOMMENDATION:

(a) That approval be given to the action taken by the City Clerk in authorizing Hamilton Artists Inc., to use the Second Floor Foyer, West End, for a display entitled "Boxes by Artists", from Thursday, 1995 April 13 to Friday, 1995 May 5; and,

(b) That the City Clerk be granted authority to approve similar use in future years, provided it does not interfere with any other activity.

D. T. Hollowell for
J.J. Schatz

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Hamilton Artists Inc., is an artist-run gallery which is celebrating its 20th Anniversary this year. A fundraiser has been planned to promote the gallery and to help raise funds. The gallery was given a donation of 21 plain wooden boxes which have been transformed through painting, collages and other mediums into works of art by 21 prominent local artists.

The gallery has requested the use of the second floor foyer (far west end) for a display of the finished pieces. These boxes will also be displayed at a number of notable local venues including the Art Gallery of Hamilton, Hamilton & Region Arts Council in Jackson Square and City Hall from Thursday, 1995 April 13 until Friday, 1995 May 5, at which point the boxes will be returned to the gallery for a silent auction on Saturday, 1995 May 6.

Hamilton Artists Inc., will provide a suitable display case and the staff required to set up and remove the exhibit.

The "Boxes by Artists" exhibit will be promoted by Hamilton Artists Inc., and people will be encouraged to view the displays.

cc: Mayor's Office
Rob Swan, Manager, Building Operations & Maintenance Division
Information Desk

CITY OF HAMILTON

- RECOMMENDATION -

B. (ii)

DATE: 1995 April 19

APR 25 1995

REPORT TO: Susan K. Reeder
Secretary, Finance and Administration

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: Tow Truck By-law

RECOMMENDATION:

a) That Alderman Drury's Letter, respecting tow trucks, be tabled for 60 days, pending a report from the City Clerk, evaluating the success of the increased enforcement.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Currently, the City of Hamilton's Licence By-law, Schedule 10, which regulates Owners and Drivers of Tow Trucks, requires that every Owner or Driver who provides towing services at accidents obtain a licence. This By-law also contains a number of regulations pertaining to a person soliciting business at accidents.

Recent Meetings, attended by Licence Division Staff, Superintendent Terry Sullivan, Hamilton-Wentworth Regional Police, and myself, have clarified a number of enforcement issues. In particular, the Police Department has agreed to increase its enforcement at accident scenes by laying charges against unlicensed owners and drivers and against licensed owners and drivers who were not dispatched by the Police to the accident scene. Charges would also be laid against any person soliciting business at the accident. It is hoped that this increased enforcement will resolve the problems.

As a result, the Licence Division is recommending that Alderman Drury's Letter, respecting Tow Trucks, be tabled, until such time as the results from the increased enforcement can be evaluated. The Licence Division has not received any complaints from the public with respect

to Tow Truck operators. Complaints, however, have been received from the representatives of the Hamilton District Auto Body Repair Association. These complaints relate to one operator who operates three towing companies. On April 4, 1995, charges were laid against the owner and driver for operating a tow truck without a licence and having no valid insurance A second operator was also charged for solicitation at the accident scene.

A number of the recommendations suggested by Alderman Drury are presently addressed in the By-law. Changes to the By-law may not be necessary. The present By-law provides for hearings before the Licensing Committee to revoke, or suspend, an individual's licence. Solicitation and responding to an accident, unless summoned by the Police or other emergency unit, are also contrary to the provisions of the By-law.

The Licence Division will meet with the Hamilton-Wentworth Regional Police to evaluate the success of the increased enforcement and report back to the Committee.

Forwarded copy to Susan Reeder, Secretary
Finance & Administration Committee
March 27, 1995

CITY COUNCIL
HAMILTON, CANADA

Alderman Don Drury

71 MAIN STREET WEST L8N 3T4 • (416) 546-2730 • RES. (416) 545-7077 - WARD 3

1995 March 23

Chairman and Members of the
Finance and Administration Committee

Dear Chairman & Members:

Re: Tow Trucks

Over the past few years a fair number of complaints have been lodged against tow truck operators who attend the scene of an accident and vigorously pursue the towing of damaged vehicles. As you can no doubt appreciate, most people involved in an accident are quite shook up and unable to think clearly when it comes to making this important decision. Reports have included incidents where tow truck operators have quoted one fee and not disclosed mileage charges, storage charges or other claims which have greatly incited the costs of towing the vehicle.

At recent regional committees and council meetings, Hamilton District and Autobody Repair Association have requested that the Hamilton-Wentworth Region license tow trucks to prohibit this type of solicitation at accident scenes.

I believe this is a matter for the local municipality (City of Hamilton) to regulate. Therefore, I would be most appreciative if the Finance and Administration Committee would give direction to the Licensing Committee and the Law Department with regard to a local prohibition against the solicitation at accident scenes, and that it be made a known condition of receiving and holding a licence to operate a tow truck in the City of Hamilton.

Therefore, be it resolved that:

(a) the City Clerk's Department refer to the attention of the Licensing Committee incidents of complaints against tow truck operators by accident victims;

(b) the City Clerk's Department stipulate in the licensing of tow truck operators that a condition of holding the licence to operate a tow truck in the City of Hamilton is restricted to:

.../2

(i) not attending the scene of a motor vehicle accident to solicit business, unless summoned by the Hamilton-Wentworth Regional Police Department;

(ii) not to attend and solicit business at the scene of a motor vehicle accident unless summoned by a member of a Hamilton Fire Department, or another recognized Police or Emergency Aid Department of the City, Region or Province of Ontario.

(iii) unless summoned directly by a party to the accident, and that the name, address and telephone number of the person requesting the service, and the time the service is requested is recorded and provided to the attending Police officer or other emergency response person overseeing the accident;

(iv) a business card from the tow truck operator as well as an information card advising accident victims of their right to complain to the City Clerk's of the City of Hamilton be provided to each person requesting service.

Rationale

I believe the above recommendations will greatly enhance the ability of the law abiding tow truck operators to obtain business and satisfy the concerns of any disgruntled customers as they have a right to complain. Further, this will also deter unscrupulous tow operators from attending the scene of accidents before a qualified emergency response professional can visit the scene and advise the parties of their rights, (i.e. tell the person whose car just got smashed that they have a right to choose whoever they wish to tow their vehicle away or that the Police would summon a dually licensed and qualified tow truck operator upon request).

The above is for consideration of the Committee.

Sincerely,

Don Drury
Alderman, Ward 3

DD:jc

c.c. Alderman Bernie Morelli
Alderman Tom Jackson
Regional Chairman Terry Cooke
Mr. John Norris, HARA, 143 James S., Hamilton

C. (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 April 21

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Construction of an Independent Concrete Sidewalk on the South Side of Brampton Street between Woodward Avenue and Dunn Avenue

RECOMMENDATION:

That the construction of an independent concrete sidewalk on the south side of Brampton Street between Woodward Avenue and Dunn Avenue under the Local Improvement Act at an estimated cost of $17,560. as the City's share be financed from the 1995 Capital Levy (Account Centre No. CH 22002).

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The 1995 Capital Budget includes a provision for the City's share of Local Improvements in the gross amount of $650,000. with a Provincial subsidy of $163,000. and a balance of $487,000. to be financed from the 1995 Capital Levy. The City's Share of Local Improvements approved in 1995 including this recommendation, amounts to $59,088.

BACKGROUND:

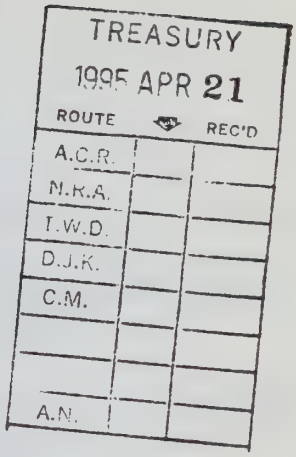
This item is to be considered by the Transport and Environment Committee on 1995 May 1. The details of this project are outlined in the attached letter from D. Lobo, Director of Public Works, dated 1995 April 19.

NRA:jc
Att'd

c.c. K. Christenson, Secretary, Transport and Environment Committee
D. Lobo, Director of Public Works, Attention: R. Meiers
P. Noé Johnson, City Solicitor, Attention: S. Riley

CITY OF HAMILTON

- RECOMMENDATION -



DATE: 1995 April 19

REPORT TO: K. Christenson
Secretary, Transport and Environment Committee

FROM: D. Lobo
Director of Public Works

SUBJECT: Construction of an Independent Concrete Sidewalk on the South Side of Brampton Street Between Woodward Avenue and Dunn Avenue

RECOMMENDATION:

1. That the construction of an independent concrete sidewalk on the south side of Brampton Street between Woodward Avenue and Dunn Avenue be proceeded with as a local improvement at an estimated cost of $17,560.; and,

2. That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,

3. That the Director of Public Works be authorized to construct these works once all the necessary approvals have been received.

D. Lobo

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Provision has been made for these works in the 1995 - 2004 Capital Budget. Since the City is the abutting owner, there is no Owner's Share.

If approved, the project will reduce the balance available in the City's Share to $590,912.

BACKGROUND:

The City will be redeveloping Woodward Park at the south-west corner of Brampton Street and Woodward Avenue. A sidewalk has never been constructed at this location. It would be prudent to construct the sidewalk to provide a safe walking surface for pedestrians.

RPM/jd

c.c. S. Reeder, Secretary, Finance & Administration Committee
c.c. A. C. Ross, City Treasurer Attention: N. Adhya ✓

CITY OF HAMILTON

- RECOMMENDATION -

C. (ii)

DATE: 1995 April 24

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Construction of an Independent Concrete Sidewalk on Upper Gage Avenue between the Freeway and Stone Church Road

RECOMMENDATION:

That the City Solicitor be authorized to prepare an appropriate By-Law to construct an independent concrete sidewalk on the east side of Upper Gage Avenue from Stone Church Road to Quail Drive; from approximately 72 m south of Loconder Drive (south limit of #1285) to Loconder Drive and on the west side of Upper Gage Avenue from Stone Church Road to approximately 89.5 m north of Robertsfield Drive (south limit of #1304); from approximately 120 m north of Robertsfield Drive (north limit of #1300) to Loconder Drive and from approximately 74 m north of Loconder Drive (north limit of #1250) to approximately 84 m northerly (north limit of #1232) under the Local Improvement Act at an estimated cost of $88,000. as the City's share of $17,217.50 be financed from the 1995 Capital Levy (Account Centre No. CH 22002) and the balance of $70,782.50 being the owner's share to be financed by the issuance of debentures for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of $70,782.50 for a term not to exceed 20 years for the above project.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The 1995 Capital Budget includes a provision for the City's share of Local Improvements in the gross amount of $650,000. with a Provincial subsidy of $163,000. and a balance of $487,000. to be financed from the 1995 Capital Levy. The City's Share of Local

Improvements approved in 1995 including this recommendation, amount to $76,305.50. The issuance of debenture for this project will not exceed the City's prescribed limit as outlined in the Municipal Act.

BACKGROUND:

This item is to be considered by the Transport and Environment Committee on 1995 May 1. The details of this project are outlined in the attached letter from D. Lobo, Director of Public Works, dated 1995 April 06.

NRA:jc
Att'd

c.c. K. Christenson, Secretary, Transport and Environment Committee
D. Lobo, Director of Public Works, Attention: R. Meiers
P. Noé Johnson, City Solicitor, Attention: S. Riley
J. Bruzzese, Acting Commissioner of Finance, Region
V.J. Abraham, M.C.I.P., Director of Local Planning
D.Y. Onishi, Director of Design and Construction, Roads Department, Region

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 April 6

REPORT TO: K. Christenson
Secretary, Transport and Environment Committee

FROM: D. Lobo
Director of Public Works

SUBJECT: Construction of Independent Concrete Sidewalks on Upper Gage Avenue Between the Freeway and Stone Church Road

RECOMMENDATION:

1. That the construction of an independent concrete sidewalk on the east side of Upper Gage Avenue from Stone Church Road to Quail Drive; from approximately 72 m south of Loconder Drive (south limit of #1285) to Loconder Drive and on the west side of Upper Gage Avenue from Stone Church Road to approximately 89.5 m north of Robertsfield Drive (south limit of #1304); from approximately 120 m north of Robertsfield Drive (north limit of #1300) to Loconder Drive and from approximately 74 m north of Loconder Drive (north limit of #1250) to approximately 84 m northerly (north of limit of #1232) proceed as a local improvement pursuant to Section 12 of the Local Improvement Act at an estimated gross cost of $88,000 with a City's Share of $17,217.50 and Owner's Share of $70,782.50 all as provided in the 1995 portion of the 1995 - 2004 Capital Budget; and,

2. That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,

3. That the Commissioner of Transportation/Environmental Services be authorized to construct these works on behalf of the City once all the necessary approvals have been received; and,

4. That the City Clerk and City Treasurer be directed to give the necessary notice of City Council's intention to undertake these works.

FINANCIAL/IMPLICATIONS:

The proposed works are to be rated in accordance with the normal practice. Provision has been made for these works in the 1995 - 2004 Capital Budget. The estimated cost per metre for an independent concrete sidewalk is $115. If approved, the project will reduce the balances available in the City's Share to $573,694.50 and the Owner's Share to $437,125.50

BACKGROUND:

The Region will be constructing a finished roadway with curbs on Upper Gage Avenue between the Freeway and Stone Church Road in 1995. It would be expedient to construct the sidewalks on both sides where required in conjunction with the Regional works. The property owners will be required to pay the approved rate per metre or the actual cost, whichever is less.

RPM/jd

c.c. J. J. Schatz, City Clerk
P. Noé Johnson, City Solicitor
Attention: S. Riley
A. Ross, City Treasurer
Attention: N. Adhya
J. Bruzzese, Acting Commissioner of Finance
V. J. Abraham, M.C.I.P., Director of Local Planning
S. Reeder, Secretary of Finance and Administration Committee
D. Y. Onishi, Director of Design and Construction, Roads Department

CITY OF HAMILTON

- RECOMMENDATION -

D.

DATE: 1995 April 21

APR 2 1 1995

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property
Property Department

SUBJECT: Closure of Property Department Capital Projects

RECOMMENDATION:

That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of financing:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/ Committed To Date	Balance Available	Source(s) of Financing
a) 319041002	Accommodation Requirements - City Hall	$150,000.00	$149,917.12	$82.88	RCP
b) 319151013	Feasibility Study - Co-generation (C.U.P.)	24,500.00	23,309.28	1,190.72	Provincial Grant
c) 319241008	Energy Conservation Projects	100,000.00	99,755.62	244.38	Current Budget
d) 319441010	Norman Pinky Lewis - Replace Roof	125,000.00	124,953.00	47.00	RCP
e) 319441018	Energy Conservation Projects	100,000.00	99,918.77	81.23	CL
		TOTAL		$1,646.21	

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See above recommendation.

BACKGROUND:

The work relating to these projects has been completed and, therefore, the affected accounts can be closed.

JC/dcr

c.c. Allan C. Ross, Treasurer, Treasury Department
Attention: N. R. Adhya
R. Swan, Manager, Building Operations & Maintenance Division
R. Desnoyers, Assistant Manager, Building Operations & Maintenance Division
J. Cerio, Manager of Administration, Property Department

E.

CITY OF HAMILTON

-RECOMMENDATION-

DATE: 1995 April 25th

REPORT TO: Alderman B. Charters, Chairman & Members,
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary,
Finance and Administration Committee

SUBJECT: **Information Items**

RECOMMENDATION:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Report - Treasurer - Sale of Tax Arrears Properties - report dated 1995 April 20

(b) Information Report - City Clerk - Canadian Firearms Registration System - report dated 1995 April 24

Susan K. Reeder.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The above-noted documents have been sent out to members of the Committee and the applicable staff for information purposes, and are being formally presented to the Committee in order to be officially received. Approval of this recommendation to receive these documents will ensure that the circulation procedure followed for these matters is recorded.

CITY OF HAMILTON
- RECOMMENDATION -

3.

DATE: April 13, 1995

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: P. Noé Johnson
City Solicitor

SUBJECT: Damage Award: Beckett Decision/ Board of Inquiry

RECOMMENDATION: That the Damage award to the complainant, Mr. J. Oliver c/o Ursel & Wilkey (Solicitors) pursuant to the Board of Inquiry Decision March 6, 1995 be satisfied by a City cheque, charged to the Unclassified Expenditures, funded as possible from donations received.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: The Corporation has established a separate account as a result of requests from the Public to contribute to the payment of this award. Contributions will offset the payment of legal and damage costs, incurred by the Mayor. It is proposed by this recommendation that the corporation front end payment, in light of the immediacy of the liability.

The City's Indemnification Bylaw allows for the payment of legal costs and damage awards against elected representatives in their official capacity. Council had previously agreed to cover the legal costs since the activity complained of was within the scope of the Office of the Mayor. The Bylaw would also permit the recommended "front ending" or partial payment.

The Corporation may also receive donations from members of the Public, the only stipulation being that the Corporation is not bound to, but may, apply those funds to identifiable expenses. An accounting of the special account will be rendered when available.

The City Treasurer suggests that the appropriate source of funding for the payment is the Unclassified Expenditures. This account will be credited with the donations received up to a maximum of the amount of the cheque issued, once a final tally has been calculated. Any amount of donations received in excess of the damages award will be used to offset related legal costs.

BACKGROUND: March 6, 1995 the Board of Inquiry issued its decision in the complaint of Mr. J. Oliver under the Human Rights Code. The case was dismissed against the corporation but the Arbitrator made a damage award against the Mayor payable to Mr. J. Oliver.

April 10, 1995 we were copied on correspondence to the Mayor's lawyer from the Solicitor for the Ontario Human Rights Commission advising that the appeal period had expired and requesting that payment be remitted to the complainant in care of his Solicitor.

The Mayor has concurred with this approach.

CITY OF HAMILTON

- RECOMMENDATION -

4.

DATE: 1995 April 25

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: Transient Vendors By-law

RECOMMENDATION:

a) That Schedule 22, of Licence By-law No. 93-069, which requires a Transient Trader licence for each location, be amended to reinstate the former definition of a Transient Trader which does not require a business, currently assessed for business taxes, to obtain a Transient Trader licence, but would require one licence for those businesses not on the Assessment Roll, regardless of the number of locations; and

b) That the attached by-law, as prepared by the Law Department, be enacted.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Because the By-law had been challenged in Court, most of the licence fees had not been paid. License fees, totally $2,500, may possibly have to be refunded.

BACKGROUND:

As you may recall, City Council, at its meeting held April 8, 1993, approved an amendment to the Transient Vendor's By-law, which required a vendor to obtain a separate $500. licence for each location for which he did not pay business tax. The amendment was approved as a result of concerns raised by city florists, respecting the large number of vendors selling flowers from street corners during the Easter and Mother's Day weekends. In 1993 and 1994, approximately 150 charges were laid against those flower vendors who operated at multiple locations without a licence.

The By-law was recently quashed by the Ontario Court of Justice, Provincial Division, as a result of an appeal by a transient flower vendor who had been charged for operating without a licence. The By-law was declared ultra-vires to the powers given in the Municipal Act.

The Licence Division recommends that the provisions of the Transient Vendors By-law be amended by deleting any reference to the issuance of a Transient Vendor's licence for each location. As in the past, a transient vendor will now be required to obtain one Transient Traders Licence if he/she is not on the assessment roll for business tax. One licence will permit the vendor to operate at multiple locations. Operators who are on the assessment role for business tax will also be allowed to operate at multiple locations without a licence.

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 95-

To Replace Schedule 22 to Licensing By-law No. 79-323

As Consolidated in By-law 93-069

Respecting:

TRANSIENT VENDORS

WHEREAS Council deems it expedient to replace Schedule 22 to Licensing By-law No. 79-323, as consolidated in By-law 93-069:

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That Schedule 22 of By-law No. 79-323 as consolidated in By-law 93-069, as amended, be repealed, and the following substituted therefor:

S C H E D U L E 22

1. In this schedule,

(a) "trade" means trade, business, calling or occupation;

(b) "transient trader" means a person who offers goods, wares or merchandise for sale by auction, conducted by themselves or by a licensed auctioneer or otherwise, or who offers them for sale in any other manner, and includes,

(i) any person commencing business in the City of Hamilton who has not resided continuously in the City for at least three months next preceding the time of commencing such business there; and

(ii) persons whose names have not been entered on the assessment roll, in respect of business assessment for the then current year; but

(iii) does not include a charitable organization or non-profit group or corporation selling goods, wares or merchandise, the proceeds from which are donated to, or used for charitable objects.

(c) A person who commences business by the display or offering of goods, wares or merchandise for sale at a particular location, may still qualify as a transient trader, whether or not the trade is conducted with the use of a building or fixtures.

2. Every transient trader shall obtain and maintain in good standing a licence authorizing the transient trader to carry on or engage in his trade.

3. No transient trader shall commence the sale of goods, wares or merchandise until a licence has been issued under section 2.

4. Every applicant for a licence or a renewal thereof shall make the application in person and not by an agent or representative.

5. Every transient trader shall pay a licence fee before commencing his trade.

6. No licence shall be issued where the fee has not been paid in full at the time of making the application.

7.(1) Every applicant for a transient trader's licence shall as part of the application for such licence furnish a statement in writing containing a full description of the goods, wares or merchandise that the transient trader proposes to sell or offer for sale under such licence.

(2) A licence issued under subsection (1) is only permission for the particulars supplied by the applicant under this section, and any change in the classes of goods sold will require a new or separate application.

8.(1) The licence fees are provided by section 22 of Schedule 45 of this by-law.

(2) The licenses issued under (1) shall expire three months from the date of issuance.

(3) The sum paid for a licence under this Schedule shall be credited to the person paying it, or to any purchaser of the business who carries on the business, on account of taxes payable in respect of the business, and in respect of real property taxes on the land used for the purposes of or in connection with the business if the land is owned by the person carrying on the business, during the year in which the licence was issued and five years thereafter.

(4) Every transient trader shall cause the licence to be prominently and permanently displayed in the transient trader's place of business during the full term in which the transient trader is carrying on business as a transient trader and in default thereof is guilty of an offence.

9. This by-law does not apply to:

(a) The sale of the stock of a bankrupt or an insolvent, within the meaning of any bankruptcy or insolvency Act in force in Ontario, nor to the sale of any stock damaged by or by reason of fire, which is being sold or disposed of within the municipality in which the business was being carried on at the time of the bankruptcy, insolvency or fire, so long as no goods, wares or merchandise are added to such stock; and

(b) The sale of a business to a purchaser who continues the business.

2. This by-law comes into force and effect on the date of enactment.

PASSED this day of A.D. 1995.

City Clerk **Mayor**

CITY OF HAMILTON

- RECOMMENDATION -

5. (a.)

DATE: 1995 April 24

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: INTERIM FINANCING 1995 INTERNATIONAL GREAT LAKES/ST. LAWRENCE MAYOR'S CONFERENCE

RECOMMENDATION:

a) That the loan in the amount of $20,000. for hosting of the 1995 International Great Lakes/St. Lawrence Mayor's Conference by the City of Hamilton from 1995 June 28-30, be provided on an interest free basis, and be temporarily financed from the Reserve for Contingency, Account Centre No CH 00115.

b) That the expenditures and revenues for the conference be recorded and controlled within the City's financial records.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

As the loan is being used to finance expenditures for the conference, there will be a loss to the City of interest that would have been earned on these funds. Also, any shortfall of the recovery from the $20,000. will become the responsibility of the City and be financed from the Reserve for Contingency, Account Centre No. CH 00115.

BACKGROUND:

Section 1 of the Third Report of the Committee of the Whole which was adopted by City Council at its special meeting held Thursday, 1995 March 23 sets out that:

> "That a loan in the amount of $20,000. be made to the 1995 International Great Lakes/St. Lawrence mayor's Conference to be hosted by the City of Hamilton from 1995 June 28-30.

The above recommendation identifies the necessary funding source for the loan which will be monitored and controlled through the City's financial records.

.cc Dennis Carson, Executive Assistant to the Mayor
David Adames, Cultural Marketing Coordinator

CITY OF HAMILTON

- RECOMMENDATION -

5(b.)

DATE: 1995 April 24

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Interim Financing Grey Cup Festival

RECOMMENDATION:

That transportation considerations estimated at $20,000. and the Grey Cup Festival '96 estimated at $1,500,000. to a total of $1,520,000., $110,000. of which would be spent in 1995, be temporarily financed on a full cost recovery basis from the Reserve for Working Funds, Account Centre No. CH 00172.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

There will be a loss of interest earnings on these funds cover the period for which they are required for the Festival.

Any shortfall of recovery from $1,520,000. will become the responsibility of the City and need financing from the Reserve for Working Funds, noted above.

BACKGROUND:

Section 2(c) of the FOURTH Report of the Parks and Recreation Committee for 1994 adopted by Council on 1994 March 8 indicates as follows:

> "That the financial commitment required in 1996 for the Grey Cup Festival '96 and transportation considerations necessary for satisfying the Bid specifications, in the amount of approximately $1,520,000., on a full cost recovery basis be referred to the Finance and Administration Committee to determine a method of interim financing; and"

The City has been awarded the 1996 Grey Cup Bid.

The Economic Development Department on behalf of the City of Hamilton and the Region of Hamilton-Wentworth has prepared an initial budget for the 1996 Grey Cup Festival.

As part of this festival the attached outlines the promotional expenses to attend the 1995 Grey Cup in Regina, Saskatchewan. The estimated $110,000. will be spent this year promoting the City of Hamilton for its 1996 Grey Cup Festival.

NRA:jc
Att'd
c.c. Joe Pavelka, Chief Administrative Officer
N. Catalano, Director of Economic Development, Region

1995 Grey Cup Promotional Expenses
Regina Sask

Dates: November 13-19 1995

Budget Breakdown

Travel and accommodation (based on 25)

Flight s range $440. to 1,314./bus. class	$12,500
Accommodation range $80.Ave. @ 8 days	16,000
Per diem $73. @ 8 days	14,600
Event Tickets	2,500
Vehicle rental	300
Grey cup 96 Jackets	1,500

Hostpitality

Room Rental	$-	
Invitations	300	
Room deco	200	
Food and Bever.	3,000	
Giveaways	1,500	
Entertainment	500	
A/V equipment	200	
		5,700

Media and Promotions

Develop logo 96	$ 2,000	
Print Material	3,000	
Video	12,000	
		17,000

Parade

Float design	
Float material costs	
Shipping	
Storage	
Manpower	
	40.000
Total Budget costs	$110,100

CITY OF HAMILTON

- RECOMMENDATION -

6.

DATE: 1995 April 21

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

L. C. King
Building Commissioner

SUBJECT: Various Maintenance Services Required by the Real Estate Division of the Property Department and the Building Department, during 1995, 1996 and 1997

RECOMMENDATION:

That a purchase order be issued to R.C.M. Contracting Ltd., Hamilton, to supply various maintenance services as and when required by the Real Estate Division of the Property Department and the Building Department during 1995, 1996 and 1997, being the lowest acceptable of the twelve (12) tenders received in accordance with the specifications issued by the Manger of Purchasing and Vendor's tender, and be financed through the Building Department's Property Standards Account No. CH 15411 00001, and the Property Department's Building Repairs - Civic Properties Account No. CH 57301 31106.

Hourly Rate One Person	$30.00
Hourly Rate Two People	$37.00
Hourly Rate Three People	$44.00
Hourly Rate For Rubber Tire Backhoe With Operator	$40.00

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See above recommendation.

BACKGROUND:

The attached tender analysis shows the bids by each company for hourly rates for one person, two person, three person operations and the hourly rate for a rubber tire backhoe with operator and truck over the three (3) year period 1995, 1996 and 1997, and the resulting totals for each year based on actual person hours and backhoe hours. Also shown is the overall total costs to the City of Hamilton over three (3) years based on the bids submitted using the 1993 hours as a guide.

After careful analysis the Property Department and the Building Department are recommending the award of a contract to R.C.M. Contracting Ltd. for the various maintenance services required since they are the lowest bidder in total overall for the three (3) year period of 1995, 1996 and 1997.

R.C.M. Contracting Ltd. has been providing this service to the City of Hamilton and the Region of Hamilton-Wentworth since 1994 and their service to date has been excellent.

DC/nw
Attach.

c.c. P. Noé Johnson, City Solicitor

Allan C. Ross, Treasurer

L. King, Building Commissioner
Attention: B. Allick

R. Swan, Manager, Building Operations and Maintenance Division

TENDER ANALYSIS

Various Maintenance Services for 1995,1996,1997

	Select Property		Outdoor Works		RCM Contracting		Langton Mech.		Total Asbestos	
Estimated Hours	**Rate**	**Cost**	**Rate**	**Cost**	**Rate**	**Cost**	**Rate**	**Cost**	**Rate**	**Cost**
1995										
1 man @ 304 hr	$29.50	$8,968.00	$25.00	$7,600.00	$30.00	$9,120.00	$27.24	$8,280.96	$28.77	$8,746.08
2 men @ 610 hr	$35.50	$21,655.00	$35.00	$21,350.00	$37.00	$22,570.00	$37.17	$22,673.70	$39.77	$24,259.70
3 men @ 400 hr	$44.50	$17,800.00	$45.00	$18,000.00	$44.00	$17,600.00	$47.32	$18,928.00	$49.77	$19,908.00
Backhoe @210 hr	$55.00	$11,550.00	$50.00	$10,500.00	$40.00	$8,400.00	$52.00	$10,920.00	$50.00	$10,500.00
TOTAL 1995		**$59,973.00**		**$57,450.00**		**$57,690.00**		**$60,802.66**		**$63,413.78**
1996										
1 man @ 304 hr	$30.50	$9,272.00	$26.00	$7,904.00	$30.00	$9,120.00	$28.14	$8,554.56	$29.77	$9,050.08
2 men @ 610 hr	$36.50	$22,265.00	$36.00	$21,960.00	$37.00	$22,570.00	$39.43	$24,052.30	$40.77	$24,869.70
3 men @ 400 hr	$45.50	$18,200.00	$46.00	$18,400.00	$44.00	$17,600.00	$50.95	$20,380.00	$50.77	$20,308.00
Backhoe @210 hr	$55.00	$11,550.00	$50.00	$10,500.00	$40.00	$8,400.00	$52.00	$10,920.00	$50.00	$10,500.00
TOTAL 1996		**$61,287.00**		**$58,764.00**		**$57,690.00**		**$63,906.86**		**$64,727.78**
1997										
1 man @ 304 hr	$31.50	$9,576.00	$27.00	$8,208.00	$30.00	$9,120.00	$29.07	$8,837.28	$30.77	$9,354.08
2 men @ 610 hr	$37.50	$22,875.00	$37.00	$22,570.00	$37.00	$22,570.00	$40.73	$24,845.30	$41.77	$25,479.70
3 men @ 400 hr	$46.50	$18,600.00	$47.00	$18,800.00	$44.00	$17,600.00	$52.63	$21,052.00	$51.77	$20,708.00
Backhoe @210 hr	$55.00	$11,550.00	$50.00	$10,500.00	$40.00	$8,400.00	$52.00	$10,920.00	$50.00	$10,500.00
TOTAL 1997		**$62,601.00**		**$60,078.00**		**$57,690.00**		**$65,654.58**		**$66,041.78**
TOTAL COST		**$183,861.00**		**$176,292.00**		**$173,070.00**		**$190,364.10**		**$194,183.34**

(3 YEAR MAINTENANCE)

7.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 April 26

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Offer to Purchase - 775 Upper Wentworth Street
Elite Realty Corp.

RECOMMENDATION:

a) That an Offer to Purchase, duly executed by Elite Realty Corp. (R. McDowell, President), on 1995 April 18 and scheduled to close on or before 1995 December 15, for the lands being part of Lot 9, Registered Plan 290, save and except part of said Lot 9, designated as Part 48 on Plan 62R-5049, save and except part of said Lot 9 as described in Instrument No. 16783 C.D., subject to the Licence in favour of H.S.R. over part of said Lot 9, designated as Part 1 on Plan 62R-13022, municipally known as 775 Upper Wentworth Street, in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, comprising an area of 0.856 acres, more or less, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and funds derived from this sale of $250,000 be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases (Sales)); and,

b) That the required deposit cheque in the amount of $12,500 be held by the City Treasurer pending Council approval; and,

c) That the City makes no representation, warranty, condition either express or implied as to soil or other environmental conditions, services, utilities, fitness for purpose of zoning and building by-laws, park, road widening or other possible dedications, or as to charges, levies and regulation of the City, the Regional Municipality, Utilities or other regulatory authorities; and,

d) That the Purchaser acknowledges and agrees that there are no warranties and/or representations by the Vendor and that the Property is being purchased on an "as is" basis except as specifically herein provided. The Purchaser further acknowledges that the Vendor is making no representation or warranties whatsoever with respect to the Property. The Purchaser acknowledges that it has relied entirely upon its own inspection and investigation with respect to quantity and value or the property; and,

e) That the Purchaser acknowledges that it has inspected the property and has conducted an independent investigation of present and past uses of the property; and that the Purchaser has not relied on any representations by the Vendor concerning any condition of the property, environment or otherwise; and,

f) That the completion of this Offer to Purchaser is conditional on the following:

(i) the Purchaser satisfying himself within 30 days of City Council acceptance as to the environmental status of the property;

(ii) the Purchaser will, at its expense, apply for within 30 days of City Council acceptance of this Offer to Purchase, and obtain a rezoning of the subject lands to allow for general office use. The required rezoning shall include the following:

(1) the passing of a by-law by the municipality to rezone the subject property to allow the above-described use;

(2) the passing of the appeal period for the appeal of the said by-law;

(iii) if the required as set out in (ii) above has not been completed by the closing date set out in this Offer to Purchase, then this Offer to Purchase shall be null and void and the deposit (including the sum paid for the granting of this Offer) shall be returned by the Owner to the Purchaser without interest, and the Purchaser shall not be liable for any damages or costs;

(iv) the Owner acknowledges that in approving this Offer to Purchase by the City, the City does not fetter the discretion of the City Council to decide whether to pass a by-law to rezone the subject lands, pursuant to the application set out in (ii) above;

g) That City Council is under a statutory duty under the Planning Act, 1990, as amended, to consider all the factors set out in that Act, in deciding whether to pass a by-law to rezone the subject lands; and,

h) That the Vendor and Purchaser agree that no commission is owing or shall be paid to Elite Realty Corp. or Coldwell Banker Elite Realty Corp., its broker(s), its salesperson(s), and/or assigns in respect to the herein transaction; and,

i) That if the Vendor receives an unconditional Offer and is prepared to recommend said Offer, the Purchaser upon written notice has 72 hours to remove all conditions. Should these conditions not be waived within 72 hours of written notification, this Offer to Purchase shall become null and void; and,

j) That the Purchaser is to be allowed one final inspection of the said property along with the City's Maintenance Department to assist in familiarizing the Purchaser with the day to day operation and maintenance of the building (heating, electrical, plumbing) within 14 days of closing; and,

k) That the Vendor agrees to drain stagnant water from the 2 interior drainage outlets on or before closing; and,

l) That the Vendor covenants and agrees to allow the Purchaser, its Consultants, Engineers and Architects to enter upon the property from time to time during its normal working hours from and after the date of acceptance of this Agreement by both parties up to the closing date of this Agreement for the purpose of inspecting the property and carrying out such test, surveys and measurements as the Purchaser in his sole discretion and expense deems necessary. The Purchaser agrees that an agent of the Vendor shall attend at such inspections; and,

m) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

n) That in accordance with Real Property Sales Procedural By-law No. 95-049:

   i) satisfactory notice has been given to the public of the intended sale;

   ii) an appraisal of the fair market value of the real property intended to be sold was obtained on the 30th day of March 1995;

   iii) the City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The amount of $250,000 be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases (Sales)).

BACKGROUND:

On 1994 October 2 the Hamilton Fire Department vacated the Upper Wentworth Composite Building and the Health Department moved out in the Fall of 1993 leaving a vacant building. The subject property was circulated to all City and Regional Departments with no interest shown by any Departments.

Elite Realty Corp. propose to use the existing building as a Real Estate Office upon successfully receiving re-zoning.

In compliance with the Real Property Sales Procedural By-law No. 95-049, I am reporting to your Committee:

a) On 1995 March 14, City Council approved Item 6 of the 8th Report of the Planning and Development Committee declaring the subject lands surplus to the requirements of the City;

b) that in accordance with the approved methods of Notice to the Public in Real Property Sales Procedural By-law 95-049, the Director of Property has placed a "For Sale" sign on the subject property which included the City's name and telephone number on the 31st day of March 1995, to inform the public that the City intends to sell the said subject land;

c) the sale of the subject land falls within the range of value which has been determined through an appraisal of the subject's fair market value.

Based on the foregoing matters in compliance with the Real Property Sales Procedural By-law, it is recommended above that the City's sale to the purchasers be confirmed.

RJH/nw

c.c. P. Noé Johnson, City Solicitor
Attention: J. Lessing

Allan C. Ross, Treasurer

C. Bandurka, Property Clerk, Surveys

R. Swan, Manager, Building Operations and Maintenance Division

FENNELL AVENUE EAST
MACLENNAN AVENUE
MACKENZIE ROAD
FRANKLIN ROAD
MOHAWK ROAD EAST
WENTWORTH STREET
UPPER SHERMAN AVENUE
G-1/S 397
G-1
D/S-432
DE-2
C5-1
GARDEN CRESCENT
INDIAN CRESCENT
EAST TWENTY STREET
D'ARCY COURT
BURKHOLDER DRIVE
GILDEA STREET
SEELEY AVENUE
ABBOT DR
ABBOT COURT
Subject

8.

OFFICE OF THE CITY CLERK

MEMORANDUM

****

TO:	Susan K. Reeder, Secretary Finance and Administration Committee	YOUR FILE:	
FROM:	Mr. J. J. Schatz City Clerk Office of the City Clerk	OUR FILE: PHONE:	 546-2727
SUBJECT:	Referral by City Council - Correspondence - Hamilton Harbour Commissioners appeal of the City's Development Charges By-law.	DATE:	1995 April 26

Attached herewith is correspondence which was presented to City Council at its meeting held Tuesday, 1995 April 25th from Mr. Stanley M. Makuch of Borden & Elliot on behalf of the Hamilton Harbour Commissioners.

Mr. Makuch is giving notice that he, on the Hamilton Harbour Commissioners behalf, is appealing By-law 95-072 (the City's Development Charges By-law) to the Ontario Municipal Board.

This will confirm that City Council agreed to refer this correspondence to the Finance and Administration Committee.

SKR

SCOTIA PLAZA, 40 KING STREET WEST,
TORONTO, CANADA M5H 3Y4
TEL 416-367-6000
FAX 416-367-6749

PLEASE REFER TO: STANLEY M. MAKUCH
DIRECT LINE: 416-367-6226
DIRECT FAX: 416-361-2444
INTERNET: smakuch@borden.com

Borden & Elliot
BARRISTERS & SOLICITORS • PATENT & TRADE MARK AGENTS

OFFICE OF THE CITY CLERK
APR 1 9 1995
REC. BY ... DATE ...
REF'D TO ... DATE ...
REF'D. TO ... DATE ...
REF'D. TO ... DATE ...
ACTION: TO CITY COUNCIL
CC. TREASURER
BLDG. COM.
DIR OF PLANNING
CITY SOL.
CAO.

BY FACSIMILE AND DELIVERY

April 19, 1995

City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Attention: J.J. Schatz, City Clerk

Dear Sirs:

Re: By-Law No. 95-072

We act on behalf of the Hamilton Harbour Commissioners who hereby give notice that they are appealing By-Law 95-072 (the "By-Law") to the Ontario Municipal Board.

The Hamilton Harbour Commissioners object to the By-Law because:

(i) the council did not conduct a review of the development charge policies of the municipalities as required under Section 6 of the Development Charges Act. R.S.O. 1990 c.D.9.;

(ii) lands owned by Hamilton Harbour Commissioners should be exempt from the By-Law and in any event the reports and studies for the purpose of enacting the By-Law do not provide adequate information or establish that the development of the lands owned by the Hamilton Harbour Commissioners will increase the need for services;

(iii) such other reasons as may be applicable.

Yours very truly,

BORDEN & ELLIOT

Stanley M. Makuch

SMM/lt

c.c. Mr. Jeffery Brookfield, Port Planner,
Hamilton Harbour Commissioners

URBAN/MUNICIPAL
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1995

Urban/Municipal Librarian
Hamilton Public Library
2nd Floor

NOTICE OF MEETING

URBAN MUNICIPAL
JUN 21 1995
GOVERNMENT DOCUMENTS

FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, 1995 June 20th
1:30 o'clock p.m.
Room 233, City Hall

Susan K. Reeder

Susan K. Reeder, Secretary
Finance and Administration Committee

AGENDA

A. DELEGATIONS

(1) Action for Cats Committee - Request to have City's Cat By-law rescinded.

(a) Information Report - H. S. P. C. A.
Note: Attached to this report are submissions in support of the City's Cat By-law from Leah Nelson and Judy Bennett

(b) Submission in support of City's By-law - Mrs. B. J. Trembley

(2) Habitat for Humanity (no copy)

1. **IN CAMERA AGENDA**

2. **CONSENT AGENDA**

3. **COMMISSIONER OF HUMAN RESOURCES**

(a) Salary Reclassification - Culture and Recreation

(b) Employee Assistance Program

4. **CORRESPONDENCE - THE HAMILTON AND DISTRICT CHAMBER OF COMMERCE**

Request for the City of publish a message of congratulations in the Special Edition of "Panorama" on the commemoration of the Chamber's 150th Anniversary

5. **TREASURER**

Disposition of Properties Acquired through the Tax Sale Process

6. **CITY CLERK**

(a) Amendments to the Procedural By-law (tabled at previous meeting to allow review by Council members)

(i) Information Report - Comments on amendments from members of Council

(b) Window Advertising in Taxicabs

(c) Refreshment Vehicles

(d) Eating Establishments

(e) Hours of Operation for Bingo Parlours

(f) Information Report - Council Vacancy/Election to Legislative Assembly

(g) Request for City comment to the LLBO - Texas Border (copy to follow)

7. **DIRECTOR OF PROPERTY**

(a) Requested Information Report - Honeywell Service Agreements

(b) Realty Sales Procedural By-law 95-049 - Declaration of Surplus Property

(c) Central Utilities Plant - Cogeneration - Alternative Site Study

(d) Award of Contract - Engine/Generator Supplier Central Utilities Cogeneration Project

8. **DIRECTOR OF INFORMATION SYSTEMS**

Operational Review of Information Systems Department - Re-issuance of Request for Proposals for Operations portion of the Study

9. **SELECTION COMMITTEE**

   (a) Recommendation - Appointments to the Hamilton Farmers Market Sub-Committee (copy to follow)

   (b) Recommendation - Appointments to the Taxi Advisory Sub-Committee (copy to follow)

10. **COMMISSIONER OF PUBLIC WORKS AND TRAFFIC**

    1995-1998 Street Vendors Program - Supplementary Bids

11. **OTHER BUSINESS**

12. **ADJOURNMENT**

133 East 17th St.
Hamilton L9A 4M4
Mar 6/95.

A. (1.)

Susan Reeder,
Secretary,
Finance + Administration Cttee,
& City Clerk
Hamilton City Hall.

Dear Ms. Reeder:

I am writing to request an appearance before the Committee of a citizen's group which wishes to see some changes made to the City's bylaw re: cats (86-343).

Could you please reserve half an hour for us sometime in April?

Yours sincerely,

Jen Stone

3837693

133 East 17th St.,
Hamilton L9A 4M4,
April 28, 1995,
905-383-7693.

Susan Reeder,
Secretary,
Finance and Administration Committee,
City Clerk's Department,
Hamilton City Hall.

MAY 1 1995

Dear Ms. Reeder:

Following our conversation yesterday, I enclosed a copy of a press release issued by ACTION FOR CATS. I hope this will satisfy your request for specifics regarding our committee's position on the relevant bylaws.

I also enclose statistics supplied by the SPCA and a clipping on hantavirus, a fatal disease spread by mouse droppings. please circulate these to your members.

If possible, we would like to make a presentation to the F & A Committee in late June.

Yours sincerely,

Ken Stone,
Chairperson.

Lobby to repeal cat bylaw

By ANGELA VIDA
Staff Writer

Ken Stone was able to convince a justice of the peace that it probably wasn't his calico cat which trespassed on the property of a neighbor.

The Mountain resident appeared in provincial offences court March 2 to answer to the charge that his cat had been at large.

The charge was laid and a $55 fine issued by the Hamilton SPCA against Mr. Stone after a neighbor signed a sworn statement that Mr. Stone's cat had been trespassing on his property last fall.

But Mr. Stone now wants to form a lobby group to fight what he calls Hamilton's "anti-cat bylaw."

He maintains that anyone can use the cat control bylaw as a weapon against cat owners in other neighborhood disputes.

During his trial, Mr. Stone made several attempts to connect the cat complaint to a neighborhood parking dispute.

Restrict testimony

But justice of the peace Wendy Casey ordered Mr. Stone to restrict his testimony to the charge of his cat being at large.

Ms. Casey dismissed the charge after Mr. Stone was able to convince her that his cat could have been misidentified since a number of cats in his neighborhood fit the calico description.

Following the trial, Mr. Stone said he was happy with the verdict.

Janice Wilson, an animal and anti-hunting advocate, was at the trial to lend her support to Mr. Stone and his effort to form a lobby group.

In 1989, Ms. Wilson said she was unsuccessful when she tried to challenge the cat control bylaw with a presentation to the former legislative committee of regional council.

Her request to have the bylaw revoked lost by a 5-4 vote at committee.

Mr. Stone said he has made an application to appear with his supporters before the city's finance and administration committee to have the cat bylaw repealed.

Anyone interested in joining Mr. Stone's lobby group can contact him at 383-7693.
or 385-9320



Photo by Angi Vida

KEN STONE, with sons Danny and Brendan, leaves provincial offences court having beat the city's cat control bylaw and a $55 charge laid by the SPCA after a neighbor complained that Mr. Stone had let his cat at large. Mr. Stone now wants to form a lobby group to fight what he calls the city's "anti-cat bylaw" as he believes people can use it as a weapon against cat owners in other neighborhood disputes.

MTNT NEWS MAR 15 1995

PRESS RELEASE

On Tuesday, April 25/95, at 7 pm, a group of concerned citizens of Hamilton gathered at Chester's Restaurant on King Street to form an organization called **ACTION FOR CATS (AFC)**, the purpose of which is to lobby Hamilton City Hall for the repeal of the anti-cat Bylaw 86-343 and for a change to Bylaw 84-191.

AFC members noted that the anti-cat Bylaw 86-343, which was originally introduced by Alderman Tom Murray and supported by Vince Lombardo (both now gone from City Council) to limit the numbers of stray cats, was a miserable failure. According to figures supplied to us by Mr. Bob Morrison, Operations Manager of the Hamilton SPCA, (who was kind enough to address our inaugural meeting), in 1986 when the bylaw was passed, the SPCA received 3328 cats of which 2616 were euthanized. In 1994, the SPCA received 3943 cats of which 2984 were killed. In short, more cats are at large today in Hamilton than a decade ago when the bylaw was passed.

AFC members unanimously agreed that Bylaw 86-343 was open to abuse by neighbours who wished to harass other neighbours over issues completely unrelated to cats. In fact, many of our members joined **ACTION FOR CATS** precisely because they had been subject to such abuse: charges have been laid by the SPCA against them on the complaints of neighbours and fines of $55 levied for each occurrence.

ACTION FOR CATS members examined the bylaw in detail to see if it would be possible to ask merely for amendments to it. They objected specifically to Articles 2,3,4,5,6,7,8, and 14 which left so little in the document that they voted to lobby to repeal the entire piece of legislation.

ACTION FOR CATS believes that:

1) Cats are essential to the urban ecology. They were domesticated at least 25,000 years ago by our human ancestors to control the spread of mice and rats, both of which are carriers of dread diseases. (Note that hantavirus, a deadly affliction spread by mice, was discovered as close to us as Algonquin Park recently). Cats also bury their excrement, adding to the humus of garden soils;

2) Therefore, cats must be allowed to roam freely;

3) Cats, as pets, are necessary to the well-being of people, and are often the pet of choice (for economic reasons) for seniors. Seniors cannot afford the additional expenses incurred by keeping cats indoors (litter boxes, large amounts of kitty litter, leashes,

harnesses, etc.) nor can they afford $55 fines levied under Bylaw 86-343;

4) Most Canadian municipalities laughed the proposed anti-cat bylaw out of council. Some, like Calgary, Edmonton, Waterloo, and Ancaster repealed them after complaints arose. Hamilton is one of few cities with such a bylaw, not copied by surrounding municipalities like Stoney Creek. In fact, Hamilton is a target of ridicule by inhabitants of other Canadian cities for maintaining such a bylaw.

5) Cats should not be required to be collared (as stipulated by Articles 2,7, and 8). Some cats may adjust to a collar. Others tend to hang themselves with collars. A modern solution is to have a vet permanently and inexpensively tattoo a cat's ear;

6) Bylaw 84-191 should be amended to allow more than two animals per household. A similar bylaw in Toronto allows six. Even the SPCA admits that the quality of care is more important than the number of pets;

7) Restrictions on cats are contrary to English common law. Laws passed during and after the Black Plague forbid restrictions on the free movement of cats. Moreover, as was argued by the Assistant Crown Prosecutor of Waterloo against their cat bylaw, cat owners may invoke the Charter of Rights to oppose restrictions on pet ownership in some municipalities that are not restricted in others.

8) To help reduce the number of unwanted stray cats, the SPCA should conduct periodic low-cost spay and neuter clinics;

9) If local politicians are concerned about the problem of stray cats occasionally ripping up green garbage bags and spilling the contents, legislation should be introduced returning to solid garbage containers, an ecologically more sound practice in itself.

10) Bylaw 86-343 allows the SPCA to distribute traps to disgruntled neighbours to trap cats at large. This practice, like the bylaw itself, is open to abuse of pet cats.

ACTION FOR CATS has already collected over five hundred signatures on a petition to repeal the cat bylaw. More signatures will be gathered before AFC meets the City's Finance and Administration Committee to present its case. Talk show appearances and other activities will be used to raise support for the cause.

For further information, please call Ken Stone at 905-383-7693.

-end-

The Hamilton Society for the Prevention of Cruelty to Animals
658 Parkdale Avenue North, Hamilton, Ontario L8H 5Z4 • (905) 547-1257 • Fax (905) 547-1598

Ken Stone
133 East 17th St.
Hamilton, Ontario
L9A 4M4

April 3, 1995

Dear Mr. Stone:

Attached are the statistics regarding stray cats received and euthanised, in the period 1980 to 1994.

Yours truly,

R.MORRISON
OPERATIONS MANAGER



Year	Received	Euthanised	%
1980	2778	2340	84
1981	3212	2893	90
1982	3365	3003	89
1983	3171	2918	92
1984	3320	3035	91
1985	2951	2657	90
1986	3328	2616	78
1987	3479	2649	76
1988	3547	2647	74
1989	3643	2897	79
1990	3738	2825	75
1991	3825	2879	75
1992	4008	3132	78
1993	3969	3044	76
1994	3943	2984	75

Cottagers warned over deadly virus

FRONT PAGE HAMILTON SPECTATOR MAR 1/95

TORONTO

Ontario cottagers and campers are being warned to take precautions against a deadly form of illness spread by mice.

The warning came yesterday after doctors were told that the virus, which kills one of every two people it attacks, has been found in Algonquin Park.

Although no case of hantavirus disease has been reported in humans in Ontario, the provincial Health Ministry warned people heading to cottage country to avoid being bitten by mice or breathing in dust that may contain the virus.

While relatively rare, hantavirus is fatal in as many as half of all cases.

The biggest threat will be in the spring, when mice reproduce and people clean cottages where the rodents have been nesting for the winter, said Julie Mason, assistant to Ontario Health Minister Ruth Grier, yesterday.

Humans can be infected by the virus as they sweep or vacuum areas containing mouse droppings or urine.

Ms Mason said people should also take care when uncovering wood piles, where mice often nest.

The first symptoms of hantavirus pulmonary syndrome are a flu-like cough, headache and muscle pains, said Tony Mazzulli, a microbiologist at Toronto's Mount Sinai Hospital.

"Unlike flu, this is mostly a disease that kills young, healthy people in their 30s and 40s."

Illness spread by mice found in Algonquin Park

While flu symptoms begin to subside after a few days, the hantavirus infection gets progressively worse as it creates tremendous amounts of fluids in the respiratory tract.

"You can't keep up your breathing. The lungs become so flooded you can actually drown," said Dr. Mazzulli.

The virus is most closely associated with deer mice, which are pale grey with white fur on their bellies. They're found in rural areas, except for the Arctic and Newfoundland.

But reports that deer mice are solely responsible for hantavirus may be misleading, say Alberta officials.

Because of the lengthy process required, results of Health Canada tests in Ottawa on the mice trapped in Algonquin Park last summer became available only this week.

Ms Mason said the ministry advises wearing breathing masks in closed rooms or when working on woodpiles.

Rodent droppings should be disinfected and buried or sealed in a closed garbage container. Dr. Mazzulli suggested wet mopping or wiping with bleach rather than sweeping mouse droppings.

From Canadian Press

The Hamilton Society for the Prevention of Cruelty to Animals
658 Parkdale Avenue North, Hamilton, Ontario L8H 5Z4 • (905) 547-1257 • Fax (905) 547-1598

MEMORANDUM

A. (a.)

Date: June 9, 1995

From: Cam Stableford, General Manager
Hamilton SPCA

To: Susan K. Reeder, Secretary
Finance and Administration Committee

Subject: Information Report

Attached is the information as requested.



Report to Finance and Administration

Background:

The adoption of a "Cat Bylaw" in the City of Hamilton was motivated primarily by the large number of complaints from residents concerning the nuisance created by cats straying at large.

The Legislation Committee of the City of Hamilton requested the participation of the Hamilton SPCA in the examination of the problem, and the drafting of a Bylaw which could address the matter.

To examine this, as well as other animal related concerns in the City of Hamilton, the Animal Control Sub-Committee was struck.

The Animal Control Sub-Committee, composed of representatives from Aldermanic Offices, the Office of the City Solicitor, and representatives of the Hamilton SPCA, met on approximately seven occasions during a nine month period. Further, two public meetings were held to review draft legislation, and to allow the public to express any and all concerns related to the establishment of the Bylaws under consideration. One of the results of these deliberations was the Cat Bylaw.

This particular Bylaw was designed to protect the interests of the Community at large, as well as to provide for the greater protection of cats, ie. a cat confined is less likely to be struck by a car, or be exposed to disease.

The Hamilton SPCA enforces the Bylaw on the basis of complaint only, ie. as follows:

- When the owner of a cat is identified by a complainant, we respond to advise the cat owner of the Bylaw, or

- If the complainant has signed a statement and is willing to appear in Court, we issue a Provincial Offence Notice.

- If the owner is unknown, we will supply the complainant, upon request, with a humane box trap to try and capture it.

- If a complainant has a stray cat confined on their property, we will respond and pick it up.

Currently, we respond to over 16,000 calls per year in the City of Hamilton, and live stray cats account for approximately 13 % (over 2000 calls) of that call volume.

Attached as Table 1 is the total number of stray cats picked up in Hamilton from 1980 to 1994, with the total number euthanised expressed as well. As a further note, this shows only live cats, we pick up approximately 50 % of those numbers as dead cats on municipal roadways.

Attached as Table 2 is the number of charges laid, by type and year, for bylaw offences, from 1987 to 1994. The average is about 8 charges per year.

Attached as Table 3 is information on other municipalities with respect to Cat control and number of animals bylaw provisions.

Attached is correspondence received, by the Hamilton SPCA, since the publication of the goals of Action for Cats.

Summary

In our experience, the Cat Bylaw has addressed, and continues to address problems that residents of the City of Hamilton experience with respect to straying cats. It is not an undue hardship on cat owners, but simply requires them to act as responsibly as dog owners are required to act, and, ultimately, if the Bylaw is complied with, is in the best interests of the animal.

The following two pages address the points raised by the group Action for Cats.

1. Cats are essential to the urban ecology....

   Cats are no longer essential to the urban ecology, or for control of rats or mice in the in the urban environment. Modern sanitation, pesticides are more effective in controlling pests than are cats. Cats can carry "dread" disease, such as rabies, and as such, can then transmit them to mankind. Cat excrement adds nothing to the humus of garden soils, and, in fact, poses health hazards if the cat has internal parasites, and defecates in an area frequented by children.

2. Cats must be allowed to roam freely....

   In the urban environment, to allow a cat to roam freely exposes it to the risk of being injured or killed by automobiles, other animals, and exposed to disease.

3. Cats, as pets, are necessary to the well-being of people...

   Cats make wonderful pets, but there is no requirement in the bylaw that the cat must be kept indoors, rather it is that the cat must be confined to its own property. That can be accomplished by building a pen, or enclosure, which would not only allow the cat freedom of movement, but protect it from other animals. The cost of veterinary treatment for sickness, or injury, is a lot more expensive than the cost of kitty litter.

4. Most Canadian municipalities...

   Most communities have considered legislation, because of ongoing problems with stray cats. Calgary, in fact, still has a cat bylaw. Edmonton is currently looking at mandatory cat registration, and while Waterloo does not have a cat bylaw the City of Kitchener does. More municipalities are looking at mandatory licensing or registration of cats, to identify who owns the stray cats that are picked up.

5. Cats should not be required....

   Any form of identification is beneficial to the cat, whether it be a tag, tattoo, or microchip, as it increases the likelihood of the owner being found. There are special collars for cats, that will break if the cat becomes entangled. Identification that is visible and readable, is more likely to result in the cat being returned to its owner more quickly.

6. Bylaw 84-191 should be amended....

   Attached is information regarding other municipalities.

Table 1: Stray Cats Received - City of Hamilton

Year	Received	Euthanised	%
1980	2778	2340	84
1981	3212	2893	90
1982	3365	3003	89
1983	3171	2918	92
1984	3320	3035	91
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1989	3643	2897	79
1990	3738	2825	75
1991	3825	2879	75
1992	4008	3132	78
1993	3969	3044	76
1994	3943	2984	75

Table 2: Cat Bylaw Enforcement

Charges Laid

Year	Cat at Large	Defecation	Fail to ID	Total
1987	6	1	1	8
1988	12	0	2	14
1989	9	0	1	10
1990	4	1	0	5
1991	5	1	3	9
1992	11	1	1	13
1993	3	0	0	3
1994	5	1	0	6
				68

Table 3: Other Municipalities

London, Ontario:

- Bylaw states that no animal shall stray on public or private property.

- allows people to keep a maximum of 2 of each permitted type of animal, eg. dogs, cats, rabbits, etc.

North York, Ontario:

- Bylaw states that no animal is permitted to stray at large, similar to the City of London.

- allows people to keep a maximum of 17 animals, comprised of a maximum of 4 dogs, 6 cats, 5 rabbits, 2 ferrets.

Toronto, Ontario:

- no restrictions on cats straying at large. Currently, they are looking at mandatory cat registration.

- allows a maximum of 6 animals per household, of which up to 3 may be dogs.

Kitchener, Ontario:

- has a bylaw prohibiting cats from straying at large.

- allows a maximum of 3 dogs, no restrictions on cats.

Calgary, Alberta:

- Cats are not allowed on private property without consent of the owner of that property.

- no limits on the number of animals.

Edmonton, Alberta:

- no restrictions at cats straying at large. They are currently looking at mandatory cat registration as a first step.

- allow a maximum of 6 animals in the city. Requires a kennel licence if more than 3 animals are kept.

May 05, 1995

Mr. Bob Morrison
SPCA
658 Parkdale Street North
Hamilton, ON L8H 5Z4

Re: Action for Cats & Ken Stone

Dear Mr. Morrison

An interview aired on CHCH TV 11 on May 04, 1995 called Pet Peeves. Mr. Stone stated in this interview that he is fighting against the by-law for cats, you said that you were content with this by-law. I agree with you that this by-law should remain. I just found out about the by-law this year, prior to that for the last four years I have been trying to figure out how to keep these cats off my property. I have contacted your office several times and may have even spoken to you.

I am not a cat lover but I am not a cat hater. I would never own a cat and I would never hurt or harm a cat. After having conversations with friends and neighbours over the past four years I have come to the understanding that I am not the only one that feels that cats should stay on their own property or that they should be on a leash, and that the owner should poop and scoop. I am tired of finding their droppings and cleaning up after them in my yard. Last year I spent $30.00 on a garbage can that has a screw down lid so that the cats can't get into the garbage and spill it all over my yard on the alley way. I am sick to my stomach when I approach my front veranda with the smell of cat urine. This summer I will need to paint my back door because I cannot remove the urine stains any other way. The advise that I have been given by people having the same problems, keep in mind that **I have never** followed this advise, is BB guns, run them over, anti-freeze or some other form of poison. I was shocked to learn that people were actually serious. **I will never or have ever harmed an animal and I do believe in animal rights.** I feel that it is not the cats but their owners.

Without a by-law that enforces the control of cats the city may face other problems like who is responsible for the kittens that are produced from these roaming cats; or who is responsible for the diseases that are passed along from a cat with an irresponsible owner to the cat that has a responsible owner; who is going to discard of the carcasses if other people take matters into their own hands because they have no other recourse; or what disease children or adults may come in contact with while these carcasses are rotting.

The second side to my argument is that I am a dog lover and owner. As a dog owner I abide by the by-laws; keeping the dog on my own property or on a leash while off my property; poop and scoop; as well as noise control. I spend money on poop and scoop bags, collars and leashes, tags and licensing. Why should it be any different for cats and cat owners? Is there or should there be a group called Action For Dogs? The by-laws should apply to both not one or the other. You cannot tell me that cats are not as vicious as dogs because I will argue that point with the amount of times that I have been bitten and scratched by a cat while the cat was on my property. Dogs do bark but cats have that annoying whine. In my opinion the only difference between a canine and a feline is the mentality of some of the owners.

I am opposed to the removal of the cat by-law and if Mr. Stone thinks this by-law is such a joke then I invite him to come to my neighbourhood and see all the destruction that the cats cause as well as the money and time that people have spent to protect their property from other people's cats.

I remain

Leah Nelson

c: Bernie Morelli
Alderman Ward 3

Hamilton Finance and Administration Committee

June 1, 1995

187 Garside Avenue South
Hamilton, Ontario
L8K 2W3

Hamilton City Hall
71 Main Street West
Hamilton, Ontario
L8P ~~225~~ 1H4

Dear Sirs:

Re: Cats/bylaw.

It may be a little late, but I wish to express my two-cents worth regarding enforcing a bylaw requiring cat owners to contain their animals. I am 100% in favour of such a bylaw.

I am a cat owner. My 8-year old female cat has been spayed. She is also leash and harness trained. When she is allowed out on her own, it is only as far as our fenced-in backyard, with supervision.

I am fully in favour of the bylaw. Twice my cat has been attacked by another cat while in the privacy of our yard. The attacking cat jumped the fence (unfortunately it is only five feet high), attacked my cat, and then jumped back over the fence before I could get my hands on it. My husband tells me this same cat (a white one with black patches belonging to someone in this neighbourhood), tried to attack our cat again last night. Our cat was <u>in the house</u>. This resulted in a torn screen on our back door. Last summer our cat was dozing in the basement window, enjoying a cool breeze, and someone elses cat attacked it through the screen, and high-tailed it away before we could get outside to get after it.

A neighbour two houses down lets their grey cat wander around at will. It used to sit on our front window sill tormenting our cat. No wonder our cat is getting paranoid. I keep cleaning cat feces out of my garden and off my lawn. I don't know what parasites or diseases these other cats may be carrying, and I certainly don't want my cat picking them up. There are orange tabbies, a calico, a few mottly coloured, the above-mentioned grey and the white and black left free to run and do their will all over the neighborhood. Their owners obviously have no respect for other peoples' property or the lives of their animals.

RECEIVED JUN - 5 1995

I know it is difficult to enforce such a bylaw due to the fact as stated above - you can't catch the damn things. I am in favour of licensing them like dogs. I hope something can be done. It is a frustrating situation.

Yours truly,

Judy Bennett

Mrs. Judy Bennett

cc: SPCA

1117 Queensdale Ave E
Hamilton, Ont. L8T 1J6
March 16, 1995

Finance and Administration
Committee
City of Hamilton
71 Main St. W
Hamilton, Ont.

A.
(b.)

Dear Sirs or Mesdammes.

I have read that a Mrs Stone wants a lobby group to press for the repeal of the Cat Control by law.

I am very much opposed to having this law repealed. Cats and all other animals kept as pets should be controlled by their owners and not allowed to roam the streets, parks, or other peoples properties.

I hope my opinion will be noted and I trust common sense will keep the by law in place.

Yours truly
(Mrs) B. J. Tremblay.

CITY OF HAMILTON

- RECOMMENDATION -

3.(a.)

DATE: 1995 May 30

REPORT TO: Susan Reeder, Secretary
Finance and Administration Committee

FROM: John Johnston
Commissioner of Human Resources

SUBJECT: Salary Reclassifications - Culture & Recreation Department (C-022-095)

RECOMMENDATION:

That the following Administrative Assistant IV positions be retitled from Administrative Assistant IV to Administrative Assistant III and be reclassified from Salary Level "Q" to Salary Grade "P" of the Non-Union Salary Schedule, retroactive to November 16th, 1992.

Administrative Assistant III (Arenas & Technical Services)
Administrative Assistant III (Community Services)
Administrative Assistant III (Cultural Division)

vlh

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Funds are available within the Department's current budget to accommodate the reclassifications from Salary Level "Q", salary range $28,041.00 - $33,053.80, to Salary Level "P", salary range $31,563.48 - $37,117.60. At the maximum end of the salary range, this reclassification constitutes a difference of $4,063.80 per annum.

BACKGROUND:

As a result of Council's directive on December 15th, 1992 that all non-union reclassifications be held in abeyance and subsequent budget constraints these salary reclassifications were not processed.

The new Director of Culture & Recreation is proceeding with this matter at this time since the Job Information Questionnaires were completed and dated prior to the December 15th, 1992 hold. The completion of the salary reclassifications was delayed due to extensive departmental restructuring and other exigencies resulting in the appointment of an Interim Director.

Following a comprehensive review of duties and responsibilities the positions have been reclassified to Salary Level "P" of the Non-Union Salary Schedule.

3.(b.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 June 12

REPORT TO: Susan Reeder, Secretary
Finance and Administration Committee

FROM: John Johnston
Commissioner of Human Resources

SUBJECT: Employee Assistance Program (C-024-095)

RECOMMENDATION:

a) That a purchase order be issued to Family Services of Hamilton-Wentworth Inc. to provide services for the Employee Assistance Program, effective 1995 August 1 for a fee of $6,283.33 per month, to be funded from Account No. 142300-57723 Employee Assistance, City;

b) That the agreement be subject to modification effective 1995 October 1 to reflect a monthly fee of $3,141.67 for funding of a reduced program in the event a cost-sharing arrangement with the employees is not obtained;

c) That the Commissioner of Human Resources be authorized and directed to enter into an agreement between the Corporation of the City of Hamilton and Family Services of Hamilton-Wentworth to provide services for the Employee Assistance Program, upon the employer/employee cost-sharing arrangements being established;

d) That the Chief Administrative Officer and City Clerk be authorized and directed to execute the agreement outlined in recommendation (c) in a form satisfactory to the City Solicitor.

JM:

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

1. Funds for the period 1995 January to 1995 September 30 in the amount of $62,634.12 were included in the Human Resources Centre budget.

2. Funds for the period 1995 October 1 to 1995 December are subject to a cost-sharing arrangement being entered with employees.

BACKGROUND:

Report of the Committee of the Whole, at its meeting held on 1995 April 11, approved the following recommendation:

> That Senior Management Team accept responsibility for evolving packages which can be prioritized corporately and eliminated from the budget to yield the required $250,000. reduction.

Presently, the Employee Assistance Program (EAP) is 100% employer paid. The proposal is that the Employee Assistance Program be converted from its current employer paid funding to a 50/50 cost-sharing plan with employees.

After 1995 September 30, the scope of the program will be dependent on the employer and employees entering into a cost-sharing arrangement.

Five proposals were received. Two candidates were eliminated immediately as they did not have office locations in Hamilton-Wentworth. The three remaining candidates were interviewed and rated according to their ability to meet the criteria set out in the Request for Proposal.

The Service Provider recommended submitted the most inclusive proposal and was the second lowest in cost. The lowest bidder did not have the resources necessary to serve an employer of our size.

Proposal Analysis:

	Employer Monthly Cost (After Sept. 1, 95)	Employer Annual Cost (After Sept. 1, 1995)
Family Services of Hamilton - Wentworth Inc.	$3,142	$37,700
Off-Site Resources Inc.	$3,477 *	$41,725 *
The Greater Hamilton Employee Assistance Consortium	$2,484	$29,808

* includes 7% G.S.T.

All cases that have not come to a resolution will be serviced by the present provider.

HAMILTON
& DISTRICT CHAMBER OF COMMERCE
150 YEARS OF SERVICE 1845 - 1995

4.

Dear CEO and/or Director of Marketing-Communications,

In June of this year the Chamber will publish a special edition of its well read and respected publication, PANORAMA.

It will be special because it will have as its focus the 150th Anniversary of the organization, which it is celebrating in 1995. Obviously a very significant moment in the long and distinguished history of an important community organization.

Included in the anniversary issue will be an extremely well researched history of The Chamber, stretching from ISSAC BUCHANNAN (the 1st President) to RON FOXCROFT (the 150th). It will be a definitive history, never before produced, one with its roots back in 1845, and embracing and tracing the growth of the organization and the community through to 1995.

Obviously that edition of PANORAMA will be of great interest to current Chamber members, other business leaders, and the community at large. But in addition, AND HERE IS THE REAL "PLUS," it will be distributed to more than 600 of Canada's business leaders when they attend the Annual Convention of The Canadian Chamber of Commerce Convention in Hamilton, September 24th to 26th, 1995.

YOUR COMPANY CAN BE A PART OF THIS VERY SPECIAL PUBLICATION.

- ☐ ***Is your business celebrating a special anniversary in 1995? Yes. Why not mark the occasion by celebrating with The Chamber in June issue of PANORAMA?***
- ☐ ***Have you had a major"business achievement" over the past year? Yes. Why not celebrate by telling the community about this special issue.***
- ☐ ***Or, would you just like to congratulate The Chamber for doing what it has done for 150 years, " and Which it Does Best," ... carry the concerns of the area's business community, and speak on its behalf before governments and regulatory bodies, and encourage the promotion of Greater Hamilton as the ideal place in which to live, work, play and invest.***

I would greatly appreciate the opportunity of discussing with you the possibilities available to your company in this special issue of PANORAMA. It certainly will be unique. Something I wanted you to be aware of. Something which could be used to your advantage.

It's an opportunity I didn't want you to miss without at least being offered the opportunity of participating. I will be in contact in a few days.

Kindest regards,

The Hamilton & District Chamber of Commerce

555 Bay Street North,
Hamilton, Ontario,
Canada L8L 1H1

Tel (905) 522-1151
Fax (905) 522-1154
E-Mail hdcc @ netaccess.on.ca

THE HAMILTON AND DISTRICT CHAMBER OF COMMERCE

PANORAMA MAGAZINE

ADVERTISING AGREEMENT

The undersigned hereby agrees to purchase advertising space in "Panorama" - the official publication of the Hamilton and District Chamber of Commerce. Please reserve the following size of space and invoice us according to the terms and conditions outlined below:

Black & White (Colour is available at a surcharge)

	Member		Non-Member	
	Single Issue	Six Issues	Single Issue	Six Issues
1 page	$475.00	$2700.00	$700.00	$4050.00
2/3 page	$400.00	$2250.00	$600.00	$3450.00
1/2 page	$350.00	$1950.00	$525.00	$3000.00
1/4 page	$245.00	$1380.00	$370.00	$2130.00
1/8 page	$185.00	$1050.00**	$280.00	$1600.00
Inside Cover	$495.00*			
Back Cover	$550.00*			

All costs are subject to 7% GST. GST Registration # 107462871

* When Available

** 1/8 page normally costing $1050.00 is offered at $800.00 for 6 issues (invoiced after first publication)

Panorama Magazine is published Bi-Monthly:

Advertisement to be place in the following issue(s)

February ___ April ___ June ___ August ___ October ___ December ___ Next 6 Issues ____

(Note: The above fee structure for multiple issues is based on the advertisement remaining unchanged for all six issues; should you wish to change the advertisement a surcharge may apply to cover additional administration and set up costs.)

Copy of Advertisement to be proved by _____; Advertisement is Enclosed _____.

Terms of Payment/Contract:

Repro proofs, camera ready art or negatives required: (note ad production costs are not included in advertising rate quoted. Advertisement which must be produced will be charged extra at normal make-up rates) Accounts due and payable within 30 days of invoice. Interest charged on overdue accounts at 2% per month. You will be invoiced upon publication, or if you are contracting for multiple issues and prefer to pay the full amount in advance, we offer a 3% discount with payment to be tendered on publication of your advertisement in the first issue:

Company: _____ Contact Name: _____

Address: _____ Postal Code: _____ Phone: _____ Fax: _____

The undersigned has the authority to enter into this agreement on behalf of the subject organization/company, and authorized the Chamber to invoice the advertiser for payment according to the above terms of payment. The undersigned hereby acknowledges receipt of a copy of this contract.

Date: _____ Authorized Signature: _____

Mail or Fax to:

The Hamilton and District Chamber of Commerce
555 Bay Street North Hamilton, Ontario L8L 1H1 **Fax: 522-1154**

5.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 June 14

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Disposition of properties acquired by the City through the tax sale process

RECOMMENDATION:

1) The tax arrears, accumulated penalties and interest applicable to the following properties as of the tax sale date of May 23, 1995, be deleted from the tax rolls and charged to the Reserve for Property Purchases:

411 Britannia Avenue
648 Barton Street East
11 Arthur Avenue South

2) The Director of Property be authorized to proceed with the sale of these properties in accordance with the Realty Sales Procedural By-Law 95-049 if they are not required for municipal purposes.

3) The costs associated with securing and/or maintaining these properties be charged to the Reserve for Property Purchases and any subsequent recoveries upon disposition be credited back to the Reserve.

Allen C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The Reserve for Property Purchases would be used to finance the outstanding taxes and costs associated with securing and/or maintaining the properties until they are sold at which time the proceeds will be credited back to the Reserve.

BACKGROUND:

In accordance with the Municipal Tax Sales Act, the City advertised the sale of the properties known as 411 Britannia, 648 Barton Street East and 11 Arthur South for tax arrears by closed tender. The advertisements ran for four (4) consecutive Saturdays in the Hamilton Spectator and once in the Ontario Gazette.

The tenders were scheduled for opening on May 23, 1995; however, there were no bids submitted and as a result the City became the owner; subsequently, these properties must be disposed of in accordance with the Realty Sales Procedural By-Law 95-049.

While the City does not have a formal policy in place for the disposition of properties acquired under the tax sale process, it has been past practise to charge all outstanding taxes, penalties and interest to the Reserve for Property Purchases and to credit back to the Reserve the proceeds from any subsequent recoveries upon disposition. It has also been City practise to charge the Reserve with any costs involved for securing and/or maintaining the properties if they are not required for municipal purposes.

We are in the process of reviewing our procedures with respect to the disposal of tax arrears properties and will be submitting a report to the Committee at a later date. In the meantime staff are recommending that the existing practises be followed in dealing with these recently acquired tax sale properties.

TWD

CITY OF HAMILTON

- RECOMMENDATION -

6.(a.)

DATE: 1995 May 17

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: Amendments to Procedural By-law No. 82-203

RECOMMENDATION:

That City of Hamilton Procedural By-law No. 82-203 be amended to provide for the following:

1. Expand the reason for the Acting Mayor to serve in place and stead of the Mayor to include "or other cause" in addition to illness. This would also include the Acting Mayor being unable to act due to illness "or other cause".

2. Removal of the requirement for an Alderman to serve on Council for at least seven months before being appointed as Acting Mayor.

3. The Mayor to be ex-officio of all sub-committees and special ad hoc committees.

4. Remove reference to the meetings of Council in the months of June, July, August, September and December being on a particular Tuesday of each of those months in order to provide flexibility to Council in choosing meeting days for those months.

5. Written notice to be delivered to each Council Member at least "24 hours" before the meeting instead of at least "one day" before the meeting as currently provided for when calling Special Meetings of Council.

6. The Clerk to be in attendance at all times in order to constitute a legal Council meeting.

7. One reading of the Bills.

8. All new business not included in the pre-printed Council agenda to require the invoking of Rule 9 to place it before Council for consideration including new business from a Committee.

9. All members of Council to be in their seats before a vote is called. 1995 May 23.

Rec'd + Tabled App'd by Committee.....

App'd by Council.....

10. Amending of the funding requirements for funding not provided for in the approved budgets.

11. The reconsideration rule not to apply to any matter re-submitted to Council by a Standing Committee who submitted the matter initially.

12. Notices of Motion to be printed in the agenda of the next subsequent meeting of Council and when a Notice of Motion is not proceeded with after three consecutive meetings, that it be deemed to have been withdrawn.

13. Any temporary suspension of the rules to require the consent of at least nine members of Council or at least five members of a Standing Committee.

14. Points of order or procedure not provided for in the Procedural By-law to be decided in accordance with the established practice of Council if not provided for in Bourinot's Rules of Order.

15. No Committee shall deal with any matter outside municipal jurisdiction.

16. Negative recommendations need not be forwarded to Council by the Standing Committees unless legislatively required or if desired by the Committee.

17. Written submissions from proposed delegations at least seventy-two hours before the time of the committee meeting.

18. Summarize the duties of the Standing Committees.

S. F. Holloway for
D. J. Ireland

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Not applicable.

BACKGROUND:

The Finance and Administration Committee at the beginning of the 1992-1994 term of office established a sub-committee consisting of Alderman Agostino and Alderman Copps to work with staff in amending the City of Hamilton Procedural By-law. This group met several times and identified several significant amendments required to the by-law.

Since that time, Bill 163 was adopted by the Provincial Legislature which required several amendments to be made to our Procedural By-law no later than 1995 May 1. City Council on 1995 April 25 in adopting By-law No. 95-092 approved those required amendments.

The above recommendation provides for general housekeeping changes and those desired amendments identified by the sub-committee during their review of the Procedural By-law.

SGH

The Corporation of the City of Hamilton

BY-LAW NO. 95-

To Regulate the Proceedings of the Municipal Council and Committees of The City of Hamilton.

GENERAL

1. The Rules and Regulations contained herein shall be observed in all proceedings of Council and its Committees.

PART I

MAYOR

2. (1) The Council shall appoint an Alderman as Acting Mayor to act in place and stead of the Mayor when the Mayor is absent from the City of Hamilton or the Mayor is absent through illness or other cause.

(2) The Alderman appointed as Acting Mayor shall be appointed at the last regular monthly meeting of Council and shall hold office for the next succeeding month.

(3) Where the Alderman appointed as Acting Mayor is unable to act because he is absent from the City of Hamilton or is absent through illness or other cause, and unless the Council otherwise appoints, the Alderman present who last served as Acting Mayor shall act as Mayor for the month or part thereof in place and stead of the absent Alderman.

(4) An Alderman acting as Mayor under this section shall exercise all the rights and powers and authority of the head of Council.

(5) The Mayor shall be an ex-officio member of all sub-committees and special ad hoc committees.

PART II

COUNCIL MEETINGS

3. (1) The Regular Meetings of City Council shall, unless otherwise ordered and except as provided in subsection 2, be held at the City Hall on the second and last Tuesday of every month at seven-thirty o'clock p.m., except for the months of June, July, August, September and December when one meeting only shall be held in each of the months.

(2) In the event a Regular Meeting falls on a public holiday, the meeting shall be at the same hour on the next following day not being a public holiday or on any other day as determined by the Council.

(3) A Special Meeting required for special business shall be called by the Mayor or at the request of any nine Aldermen, at such time and place as the Mayor or the Aldermen determine.

(4) Where a Special Meeting is called, the City Clerk shall summon the meeting by written notice delivered to each member of Council setting out the time, place of the Special Meeting and the purpose of the meeting, at least 24 hours before the meeting.

(5) No matter shall be considered or discussed at a Special Meeting unless the matter is disclosed in the notice calling the meeting.

(6) The Clerk shall be in attendance at all times in order to constitute a legal Council meeting.

SEATING

4. (1) Subject to subsections 2 and 3 the Members of Council shall take their seats to the left of the Mayor's chair commencing with the Aldermen representing Ward 1 to 8 in consecutive order.

(2) For each Ward, the Alderman receiving the greater number of votes shall sit on the right of his or her fellow Alderman representing the same Ward.

(3) Aldermen may exchange seats within a ward, by mutual consent.

QUORUM

5. (1) A quorum shall consist of nine members of Council assembled for a meeting of City Council.

(2) Immediately after the hour fixed for a Council or Committee meeting and a quorum is present, the Mayor or Chairperson shall take the chair and call the meeting to order.

6. If, within thirty minutes of the time called for the meeting, there is no quorum, the Clerk shall record those members present and the meeting shall stand adjourned until the next Regular Meeting unless a Special Meeting is called before a Regular Meeting.

CHAIRPERSON

7. (1) The Mayor shall be Chairperson of the Council.

(2) Where the Mayor is not in attendance at a meeting of Council, the Acting Mayor as appointed shall preside until the arrival of the Mayor.

(3) The Council shall appoint on a quarterly basis, an Alderman to serve as Chairperson of the Committee of the Whole.

(4) When Council moves to Committee of the Whole, the Chair shall be assumed by the Alderman appointed to serve as Chairperson of the Committee of the Whole for that quarter.

(5) When the Alderman appointed to serve as Chairperson of the Committee of the Whole is absent, the Alderman who last served as Chairperson of the Committee of the Whole shall preside.

ORDER OF BUSINESS

8. The business of the Council shall be taken up in the following order:

(1) National Anthem & Prayer
(2) Minutes
(3) Petitions and Correspondence
(4) The referral of Petitions and Correspondence
(5) Reports of the Standing Committees in the order stated in Section 32(1), hereof followed by the Mayor's Report, Licensing Committee, Hamilton-Scourge and Nominating Committees and Committee of the Whole.
(6) Bills
(7) Notices of Motion
(8) Question Period
(9) Adjournment

PROCEDURE AT MEETINGS OF COUNCIL

9. No business, other than the business referred to in Section 8 shall be considered at a meeting of City Council unless City Council by a majority vote of the members present at the meeting deems it is in the best interest of the City to deal with any matter.

10. (1) Every motion or resolution shall be in writing.

(2) No member of Council other than the mover of a motion shall make introductory remarks on the motion.

(3) Except as provided in subsection 2, no member of Council shall have the right to speak on a motion or resolution until after the motion or resolution has been duly moved and seconded.

11. After a motion or resolution has been duly moved and seconded, it shall be deemed to be in possession of the Council, but it may be withdrawn at any time with the approval of the majority of the Council.

12. Where a motion or resolution is under consideration, no motion or resolution shall be received except a motion or resolution having precedence in the following order:

1.	To adjourn	(Not Debatable)
2.	To table	(Debatable)
3.	To put the question	(Debatable)
4.	To refer	(Debatable)
5.	To amend	(Debatable)

13. The previous question, until it is decided, shall preclude any further debate on the main question or any amendments on the floor. If this motion is resolved in the affirmative the main question shall be put forthwith or if any amendment was on the floor at the time previous question was moved, the Chair shall call for a vote on the amendment, followed immediately, without further debate, by a vote on the main question.

14. (1) A motion to adjourn the Council shall always be in order and need not be in writing.

(2) The motion to adjourn shall be decided upon without debate.

(3) No second motion to adjourn the meeting of City Council shall be made until after some intermediate proceeding shall have taken place.

15. (1) Where a member proposes to speak on a matter the member shall,

(a) rise from the allocated seat; and

(b) address the Mayor or Chairperson; and

(c) confine any comments or observations to the question or matter under discussion; and,

(d) avoid any reference to personality or personal remarks.

(2) Where two or more members rise to speak, the Mayor or Chairperson shall determine the order in which a member is entitled to speak.

16. The Mayor or the Chairperson shall expel any person for improper conduct at a meeting.

17. When a question is put, every member of Council shall take their seat and no member of Council shall walk out of or across the floor of the Council Chambers or any other place where a meeting of City Council is held, until the vote is decided.

18. Each member present at the meeting of Council shall vote when a vote is taken unless otherwise prohibited by law and failure to vote by a member who is not disqualified shall be deemed to be a negative vote.

19. Whenever a recorded vote is requested by any member of the Council, on any matter, the vote shall be conducted by the Chairperson calling for those members voting in the affirmative to stand and be recorded by the City Clerk and then those members voting in the negative to stand and be recorded.

20. During a debate no person shall speak more than five minutes on any motion or resolution unless granted a specific time extension.

21. No member of Council may interrupt any other member who has the floor.

22. Any member of the Council may as of right require the question, motion or resolution under discussion to be read for the members' information at any time in a debate, but not so as to interrupt a member speaking.

23. During meetings of Council, unless permission is given by the Mayor or Council, all persons excepting members of the Council and City Clerk's Staff shall be excluded from the floor of the Council Chamber.

24. Every proposed By-law must be introduced by a motion or by a report of a Committee, specifying the title of the By-law, and shall be decided without debate.

25. Any member of Council initiating the establishment of a Special Committee for any purpose shall automatically be a member of that Committee.

26. Any amounts to be expended, other than those for which funding has been appropriated by Council and expenditures in accordance with Council policies and procedures, shall be referred to the Finance and Administration Committee for recommendation to Council for funding prior to being acted upon. (The issue shall be referred to Council concurrently with the funding recommendation from the Finance and Administration Committee).

27. After any matter has been decided, any member who voted in the majority may, at the same or at a subsequent meeting, move for a reconsideration thereof, but no discussion of the matter shall be allowed unless the motion for reconsideration is approved.

28. Section 27 shall not apply to any matter re-submitted by a Standing Committee who submitted the question initially.

29. Where notice of meeting has been given by a member, it shall be printed in the agenda of the next subsequent meeting of Council and when a member's notice of motion has been called from the Chair at three successive meetings and not proceeded with, it shall be deemed to have been withdrawn.

30. Any one or more of these rules may be at any time temporarily suspended, with the consent of at least nine members of City Council at a Council meeting or at least five members of a Standing Committee at a committee meeting.

31. Any points of order or procedure not provided for in the preceding rules shall be decided in accordance with the Bourinot's Rules of Order, and if not in Bourinot's Rules of order, then in accordance with the established practice of City Council.

PART III

COMMITTEES

32. (1) There shall be appointed, at the first meeting of the newly elected Council, the following Committees, which shall be the Standing Committees of the Council:

(a) Transport and Environment Committee
(b) Parks and Recreation Committee
(c) Planning and Development Committee
(d) Finance and Administration Committee

(2) Each Standing Committee shall consist of the Mayor and one Alderman from each of the eight wards.

(3) The Council shall fix the day and hour for the regular meetings of its Standing Committees.

33. (1) The Nominating Committee shall consist of all members of Council and shall be chaired by the Mayor.

(2) Notwithstanding Section 32(3), the Committee shall meet at the call of the Chair.

34. Meetings of Committees shall be called by the City Clerk on request of the Chairperson or, in the absence of the Chairperson, on request of the Vice-Chairperson or, in the absence of the Vice-Chairperson, upon request of the Mayor with 24 hours notice.

CONDUCT OF BUSINESS IN COMMITTEES

35. The business of the Standing and Special Committees shall be conducted as follows:

(1) The Chairperson, or in the absence of the Chairperson, the Vice-Chairperson, shall preside and shall have a vote on all questions submitted, and in case of an equal division the question shall be decided in the negative.

(2) In the absence of the Chairperson and the Vice-Chairperson, one of the other members shall be elected to preside, and shall discharge the duties of the Chairperson during the meeting, or until the arrival of the Chairperson or Vice-Chairperson at such meeting. Where there is no chairperson or vice chairperson, an acting chairperson shall be appointed by the members present.

(3) A quorum shall consist of the number of members of the Committee required to make a simple majority of the total membership of the Committee. The Mayor, as ex-officio member of all sub-committees, special committees and ad-hoc committees is not counted in the quorum.

(4) The minutes of every Committee shall be signed by the Chairperson and Secretary and entered in a book provided for that purpose.

(5) The Rules of Order of the Council while in Committee of the Whole shall, as far as practicable, be observed by the Standing and Special Committees.

GENERAL DUTIES OF COMMITTEES

36. The general duties of the Standing and Special Committees shall be as follows:

(1) To report to the Council from time to time, as often as the interest of the City may require, all matters connected with the duties imposed on them respectively, and to recommend such action by the Council in relation thereto as may be deemed necessary or expedient, but no Committee shall deal with any matter outside municipal jurisdiction.

(2) A Standing Committee shall only report positive recommendations to Council except when otherwise required by statute or when expressly desired by the Committee to send a negative recommendation to Council.

(3) To recommend to Council the implementation of all projects and programs under its mandate for which monies have been provided in the current or capital budget as approved by Council.

(4) To report to the Finance and Administration Committee with regard to any deviations to the current or capital budget.

37. (1) Committees may establish and appoint members to a Sub-Committee to deal with special or specific matters that come under the terms of reference of the Committee. The term of the Sub-Committee so appointed shall be at the pleasure of the particular Standing Committee and shall be responsible to that Standing Committee.

(2) Any member of a Standing Committee proposing a Sub-Committee shall forthwith become a member of the Sub-Committee.

38. Every City Department on which a Standing Committee is required to report to Council shall report to the Committee and may make such recommendations to the Committee as are necessary or expedient for consideration of the Committee.

39. Every committee of Council named in Section 32(1) shall hear interested parties or afford them an opportunity to be heard in place and stead of Council, provided that a written submission is received by the Committee Secretary at least seventy-two hours prior to the scheduled time of the meeting of the Committee, stating the subject upon which it is desired to make representations and the group or organization, if any, upon whose behalf the representations will be made.

STANDING COMMITTEES OF COUNCIL

TRANSPORT AND ENVIRONMENT COMMITTEE

40. In addition to any other duties prescribed under this and any other by-law of the Corporation, the duties of the Transport and Environment Committee shall be:

To report and/or recommend to City Council on all matters pertaining to public streets, traffic control, Public Works, City Engineering, Harbour matters, pollution control, energy conservation, lighting, surface, drainage, weed control, maintenance of public spaces, City vehicles, and City owned or operated buildings under the purview of the committee and any legislation which may affect these matters.

PARKS AND RECREATION

41. In addition to any other duties prescribed under this and any other by-law of the Corporation, the duties of the Parks and Recreation Committee shall be:

To report and/or recommend to City Council on all matters pertaining to the provision of leisure services as they relate to parks, recreation, arts and culture, museums and historical resources including the provision of cemetery services, the promotion of the beautification of lawns and gardens of private properties, the construction and operation of City-owned or operated buildings under its jurisdiction, the maintenance of park lands and cemeteries and the joint community use of facilities for parks and recreation purposes by the City and the Boards of Education.

PLANNING AND DEVELOPMENT COMMITTEE

42. In addition to any other duties prescribed under this and any other by-law of the Corporation the duties of the Planning and Development Committee shall be:

To report and/or recommend to City Council on all matters relating to new developments in Lloyd D. Jackson Square, all matters pertaining to the use of land, the physical development of the City of Hamilton, and all matters under the Planning Act, as amended and any other Act that may affect land use planning and the local planning functions. The Planning and Development Committee has been delegated authority to hold public hearings regarding zoning in the place and stead of Council and also to make decisions regarding site plan control.

FINANCE AND ADMINISTRATION COMMITTEE

43. In addition to any other duties prescribed under this and any other by-law of the Corporation, the duties of the Finance and Administration Committee shall be:

(1) Finance - To report and/or recommend to City Council on the proposed expenditures and revenues for the City of Hamilton, the Hamilton Public Library Board, The Hamilton Entertainment and Convention Facilities Inc. and the City of Hamilton Parking Authority including all aspects relating to the Capital Budget Programme and has power to report to Council on the financial requirements of the Boards of Education and The Regional Municipality of Hamilton-Wentworth.

(2) Personnel - To report and/or recommend to City Council on all matters relating to City Personnel including the establishment and classification of positions, appointments, dismissals, labour negotiations and grievances, policies related to salaries, wage rates and employee benefits.

(3) Legislation - To report and/or recommend to City Council on all matters for which it may be necessary for the Corporation to seek legislation, not directly related to other Committees, make recommendations pertaining to civic hospitality and awards, consider and recommend to City Council on matters relating to licensing (with the exception of the issuance or denial of a licence), the Hamilton Farmers Market, consider and report on all matters relating to the C.A.O., City Clerk's, Treasury, Property, Law, Fire and Human Resources Departments, and City Boards and Commissions.

(4) General - To report and/or recommend to City Council on all matters not delegated to other standing committees.

NOMINATING COMMITTEE

44. (1) In addition to any other duties prescribed under this and any other by-law of the Corporation, the duties of the Nominating Committee shall be to recommend to Council:

(a) the appointment of the Chairperson, Vice-Chairperson and the members of Council to the Standing Committees and any Special Committees of the Council.

(b) the appointment of the Aldermen to Standing Committees. The Aldermen in each Ward shall select alternately from a list of Committees commencing with the Aldermen who received the most votes in their respective Ward.

(c) the appointment of members of Council to local boards to which Council may appoint or is required to appoint members.

(d) no member of Council, except the Mayor, shall serve on or represent Council on more than a total of three Special Committees, Local Boards, Commissions or Corporations.

(e) the appointment of citizens to special committees of Council, authorities and local boards, to which Council may appoint or is required to appoint citizen members.

(2) For the purpose of this section, **"local board"** has the same meaning as in The Municipal Affairs Act, as amended.

PART IV

ACCESS TO INFORMATION AND MEETINGS

45. The release of municipal information shall be governed by the provisions of The Municipal Freedom of Information and Protection of Privacy Act.

46. (1) Meetings of standing committees and committees shall be open to the public and no person shall be excluded therefrom except for improper conduct or if the subject matter being considered is:

(a) the security of the property of the City of Hamilton or a local Board;

(b) personal matters about an identifiable individual, including municipal or local board employees;

(c) a proposed or pending acquisition of land for municipal or local board purposes;

(d) labour relations or employee negotiations;

(e) litigation or potential litigation, including matters before administrative tribunals, affecting the City of Hamilton or local board;

(f) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

(g) a matter in respect of which a council or committee has authorized a meeting to be closed under another Act.

(h) the consideration of a request under the Municipal Freedom of Information Act and the Protection of Privacy Act, if the Council or Committee or Board is designated as head of the institution for the purposes of the Act.

(2) Prior to holding a meeting, or part of a meeting that is closed to the public, the Council or Committee shall state by resolution:

(a) the fact of the holding of the closed meeting, and

(b) the general nature of the matter to be considered at the closed meeting.

(3) A meeting shall not be closed to the public during the taking of a vote.

(4) Despite subsection 3 and Section 61 (2) of the Municipal Act, a meeting may be closed to the public during a vote if,

(a) Section 43(1) of this By-law permits the meeting to be closed to the public; and

(b) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the City or a local Board or persons retained by, or under, contract with the City or a local Board."

47. By-law 82-203 and all amendments thereto are hereby repealed.

48. The short title of this By-law is **"The Procedural By-law"**."

6. (a.) (i)

CITY OF HAMILTON

- INFORMATION -

DATE: 1995 June 16

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: S. G. Hollowell
Acting City Clerk

SUBJECT: Procedural By-Law

BACKGROUND:

For the information of the Members of the Finance and Administration Committee, I have received the following comments from individual Members of City Council with respect to the proposed new Procedural By-Law which was circulated at the last meeting of the Committee:

Section 3 (4)

Comment
18 hours is long enough to call a special meeting of Council, not 24.

Staff Response
The current wording is "at least one day". That has been open to interpretation resulting in less than 24 hours notice being given in some cases. The suggested change to "at least 24 hours" is an attempt to allow Council Members that minimum amount of notice of special meetings of Council. However, Council may wish to establish a shorter notice period such as that suggested of 18 hours.

Section 3 (6)

Comment
Wording should say "a Clerk", and not "The Clerk" which would mean the City Clerk.

Staff Response
The wording in the proposed new by-law should read "The Clerk/Designate". The Clerk or the Acting Clerk must be in attendance at a Council Meeting. At committee meetings the Legislative Assistants are the Clerk's designates.

Section 4

Comment
Does not agree with not specifying the times for June, July, August, September and December meetings. Feels Council should establish the dates and live with them as a responsibility to the public expecting meetings at set times.

Staff Response
Specific times have not been inserted in the proposed new by-law in order to permit Council the latitude of determining its meeting schedule without the need to amend the Procedural By-Law to do so.

Section 8 (6)

Comment
Questions whether we can go to only one reading of the bills. Would like to see the bills read once and then subsequent readings delayed to the next Council to allow public comment if there is any.

Staff Response
The Law Department has advised that it is legal to have only one reading of the bills as is currently the practice at Regional Council. To delay subsequent readings to the next Council meeting would severely delay the implementation of Council's decisions especially during the summer months when a period as long as six weeks may exist between Council meetings.

Section 13

Comment
Supports this change to ensure that at least nine members of Council or five members of a Standing Committee are present to suspend any rule.

Section 15

Comment
Does not agree with Committees only dealing with matters inside municipal jurisdiction i.e. feels need for Committees and Council to discuss lap dancing.

Staff Response
This is solely a matter for Council to decide if it wishes to deal with issues outside municipal jurisdiction. One option would be to approve the new rule and then suspend it in certain instances where Council wishes to debate a particular issue outside municipal jurisdiction.

Section 26

Comment
Should we add "over $1,000." after the word "expended"?

Staff Response
This is not required because Section 26 only deals with funding requests not provided for initially in the appropriate departmental budget. Any funding requests not provided for in the budget should require Committee and/or Council approval.

Section 36 (2)

Comment
I think a committee should have the option to report defeated items and dissent.

Comment
Things negative recommendations should be forwarded to Council.

Staff Response
Section 36 (2) does provide for negative recommendations to be forwarded to Council if a Standing Committee desires to send one.

S. P. Holland

6.(b.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 June 13

REPORT TO: Susan K. Reeder
Secretary, Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: **Window Advertising In Taxicabs**

RECOMMENDATION:

(a) That the City of Hamilton Licence By-law 93-069, Schedule 4, respecting Taxicabs, be amended to permit rear window advertising in Taxicabs, on a 6-month trial basis, effective June 30, 1995, and

(b) That the City Solicitor be authorized and directed to prepare the appropriate By-law amendment.

W.A. Rose for
JJ. Schatz

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Schedule 4, of City of Hamilton By-law 93-069, respecting Taxicabs, permits five interior advertising signs, placed on the back of the front seat of a taxicab, and one interior display unit placed on the ceiling; one rooftop mounted sign and one exterior advertisement painted on the rear end of the vehicle. These signs are restricted in size and are not to obstruct access to the vehicle, the driver's view of traffic, or the visibility of the photo identity card, meter, licence and tariff card.

On May 23, 1995, the City Clerk's Department received a written request from Jim Shields, Director of Marketing for Morin & Morin Transit Advertising, to permit rear window

advertising in taxicabs. This Company produces a product called contravision. Contravision makes use of a number of dots to create an advertising image on the outside of the window, while leaving the driver and passengers' view from the inside unobstructed.

Contravision is currently being used in taxicabs in St. Catharines, Welland, Toronto, Kingston, Brantford, London, Windsor, Sarnia, Woodstock, Winnipeg, Edmonton and Calgary. According to Morin & Morin, the signs have the approval of the Ministry of Transportation. The Hamilton-Wentworth Regional Police have advised the Licence Division that they have no concern regarding the use of contravision on taxicabs.

Morin & Morin have reached an agreement with Blue Line Taxi Company to use contravision on their vehicles. It is also their intention to approach both Yellow and Veterans' Taxi Companies and make similar arrangements. Morin & Morin are working in partnership with the Ontario Brain Injury Association. Revenues generated from the advertising will be divided between Morin & Morin, the Ontario Brain Injury Association and the Taxi Companies.

CITY OF HAMILTON

- RECOMMENDATION -

6.(c.)

DATE: 1995 June 12

REPORT TO: Susan K. Reeder
Secretary, Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: Refreshment Vehicles

RECOMMENDATION:

(a) That the City of Hamilton By-law 93-069, Schedule 16, respecting the licensing, regulating and governing of refreshment vehicles, be amended to provide for the following:

(i) (1) the definition of a refreshment vehicle to include a refreshment cart, refreshment cycle and motorized refreshment vehicle;

(2) the definition of an eating establishment to mean a building or premise where food is prepared and offered for sale and consumption either therein or elsewhere; and,

(3) all reference to driver's duties and responsibilities be replaced by operator's duties and responsibilities; and

(ii) (1) That the owner and/or operator of the refreshment vehicle comply with all the regulations in the by-law; and,

(iii) That the by-law also provide for the following:

(1) an annual inspection of the refreshment vehicle by the Licence Division and Environmental Health;

(2) the business name and City of Hamilton licence affixed in a position, approved by the Licence Division;

(3) the owner of a licensed eating establishment be permitted to operate his own licensed refreshment cart, as an auxiliary use to his business;

(4) a licensed refreshment vehicle to operate within 100 yards of an eating establishment or a City park, if there is prior written approval from the owner(s) of the eating establishment(s) or the appropriate City authority;

(5) upon request by the City, the licence holder to provide written permission to locate on private property; and

(6) all refreshment cycles to comply with the regulations of the Highway Traffic Act.

(b) That the City Solicitor be authorized and directed to prepare the appropriate amending By-law.

U.A. Lee for
J.J. Schatz

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND

Over the last several years, there has been an increase in the number of refreshment vehicles which have been issued municipal licences. In 1994, there were a total of 129 licences issued: 58 refreshment carts (coffee, hot dogs, sausages, popcorn) which are stationary and licensed for use on private property, 22 refreshment pedal vehicles (ice cream) and 49 motorized refreshment vehicles (chip wagons which are stationary and located on private property, lunch vehicles and ice cream vehicles).

The City has received complaints from restaurant owners and refreshment vehicle operators that the By-law does not adequately address the problems which exist in this industry, today.

The By-law does not define or categorize the various types of refreshment vehicle nor set out their specific requirements. The By-law specifically addresses Ice Cream Vehicles and Lunch Vehicles. The definition should be expanded to include other vehicles such as chip wagons, hot dog carts, coffee cars, popcorn carts, etc. It is recommended that refreshment vehicles be classified as follows: Refreshment Cart, Refreshment Cycle, Motorized Refreshment Vehicle.

Charges in Provincial Offenses Court against refreshment vehicle operators have been withdrawn because the By-law does not adequately define the responsibilities of the licence holder. It is necessary that the licence holder, as well as the operator of the refreshment vehicle, comply with all the regulations of the By-law.

In the past, there has been a problem with refreshment vehicle owners moving the municipal licence plate from an authorized vehicle to another vehicle which has not been inspected. To help rectify this problem, the City is now issuing licence stickers which cannot be removed from the refreshment vehicle. To further identify the vehicle, upon application or renewal, all pertinent information respecting the vehicle such as serial identification numbers must be submitted to the licensing authority. The business name must also appear on the side of the vehicle.

Presently, there are no annual inspections of refreshment vehicles either by the Licence Division or Environmental Health. Both the Licence Division and Health Department are in agreement that an inspection of refreshment vehicles take place upon issuance and renewal of licences. Presently, Health Inspectors do routine on-street inspections of these vehicles.

It is essential that all refreshment cycles comply with the regulations of the Highway Traffic Act. As of October 1995, any individual riding a bicycle must wear proper bicycle helmets.

If the refreshment vehicle is located on private property, there should be an option to request that the licensee provide a letter of permission from the property owner. In some cases, licence holders set up on vacant lots without receiving any permission.

Currently the By-law requires that the driver of such a vehicle shall not stop for the sale of any product within 100 yards of any eating establishments, school ground, recreation ground, playground or public park. This requirement has also been interpreted to include refreshment vehicles, such as hot dog carts or chip wagons, which normally operate from a specific location on private property. Concerns have been expressed by the Industry that this 100-yard requirement is unfair and there should be an option for a restaurant owner to sign a waiver if there is no objection to the vehicle being within this 100 yard requirement. Also, licensed refreshment vehicles should be permitted in City parks if approval is received from the appropriate authority.

The existing By-law does not provide for the auxiliary use of licensed refreshment vehicles, such as hot dog carts, by an eating establishment. Through the summer, the Licence Division has received requests from restaurant and butcher/delicatessen shop owners to place a hot dog cart on their own property. The 100 yard distance requirement should not apply if the licensed refreshment vehicle is owned and operated as an auxiliary use by the business.

6.(d.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 June 9

REPORT TO: Susan K. Reeder
Secretary, Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: **Eating Establishments**

RECOMMENDATION:

(a) That the City of Hamilton By-law 93-069, Schedule 8, respecting Eating Establishments, be amended to provide for the following:

(i) a new classification of "restaurant take-out", defined as a building or premise where food is prepared; offered for sale, but consumed elsewhere, and no seating accommodation is provided; and

(ii) the deletion of the requirement for a public hall licence in an eating establishment, if dancing and/or entertainment is provided as an incidental use to the business; and

(b) that the City Solicitor be authorized and directed to prepare the appropriate amending By-law.

A. Rose for
J. J. Schatz

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The licence fee for a "restaurant take-out" will be $20., an increase of $10. This new fee will result in $1,500. additional revenue.

BACKGROUND:

Previously, take-out food establishments, such as pizza parlours and submarine shops, were considered to be food shops. Upon review of the Licence By-law, it has now been determined that these take-out food shops should have been licensed as eating establishments, with no seating accommodation and the food consumed elsewhere. The various departments, Building, Fire and Health, have always considered this type of business as an eating establishment and the requirements for this type of business will not change. Approximately 150 Take-Out Food businesses will be notified in writing of the change in classification and licence fee, which will increased from $10. to $20. upon renewal.

Many restaurant operators have small areas set aside within their restaurant for entertainment or dancing, which are incidental to their business. Under the current By-law, a Public Hall licence is also required if dancing or entertainment is permitted in any part of an eating establishment. The purpose of the recommendation is to no longer require a public hall licence for eating establishments, such as restaurants, whose main purpose is providing food but provide dancing or entertainment as an auxiliary use. A Public Hall licence will still be required for facilities whose main function is providing dancing and/or entertainment to its customers.

6 (e.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 June 9

REPORT TO: Susan K. Reeder
Secretary, Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: **Hours of Operation for Bingo Parlours**

RECOMMENDATION:

(a) That the City of Hamilton Licence By-law 93-069, Schedule 15, respecting Public Halls and Certain Places of Amusement, be amended to permit licensed bingo halls to extend the hour of closing to 4:00 a.m., Saturday and Sunday mornings respectively, on a 6-month trial basis, effective June 30, 1995; and,

(b) That parking lot security be provided by the bingo hall between the hours of 12 o'clock midnight and 4:00 a.m, for Saturday and Sunday mornings respectively, and

(c) That the City Solicitor be authorized and directed to prepare the appropriate amending By-law.

L. J. Woodcock fr
D. J. Schatz

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

It will be necessary for the Licence Inspectors and Lottery Clerk to monitor the 1:00 a.m. bingo events during the trial period. These additional bingo events will generate approximately $1320. in licence fees per week.

BACKGROUND:

Schedule 15 of the City of Hamilton By-law 93-069, respecting Public Halls and Certain Places of Amusement, states that "no person shall carry on or operate a bingo hall except between the hours of 8:00 in the forenoon and 1:00 in the forenoon of the following day."

On May 4, 1995, the City Clerk's Department received a written request from Cameron & Johnstone Ltd., owners of the Delta Bingo Hall, to extend the permitted hours for operation of bingo parlours from 8:00 a.m to 1:00 a.m of the following day to 8:00 a.m. to 4:00 a.m. of the following day. This request was based on the following reasons:

a) Monte Carlo Events are permitted until 4:00 a.m.;
b) the City of Burlington permits the conduct of bingo events after 1:00 a.m.; and
c) Hamilton charities will have an opportunity to raise new or additional funds.

Ontario Fundraisers, owners of the Princess and Upper Hamilton Bingo Halls, have no objection to the extended hours past 1:00 a.m., if it is supported by the residents who live in the immediate area of the bingo hall. The Princess Bingo Sponsors Association opposes the recommendation for the following reasons: it feels that the sponsors will not be able to provide adequate volunteers and will have to rely on hall help to conduct the bingo event; it will adversely affect profitable time slots which are held earlier during the day as the various halls attempt to compete against each other for customers and it will cause undo noise and disturbances on the neighbourhood as the players leave the hall.

The owners of Bingo Country and its Bingo Sponsors Association also have no objection, as long as any bingo events after 1:00 a.m. are monitored to determine any negative effects, such as a decrease in the number of patrons attending the earlier events. They recommended that security guards be hired to monitor the hall's parking lot to ensure the safety of the patrons and representatives of the charity who are leaving the hall between the hours of 1:00 a.m. and 3:30 a.m.

The City of Burlington permits bingo lottery events to be held after 1:00 a.m. Midnight Madness is held from 1:00 a.m. - 3:00 p.m. and the Sunrise Bingo commences at 3:45 a.m. Burlington restricts these games to Saturday and Sunday mornings as it has been determined that these time periods are the most profitable. There is no security provided.

The following municipalities were surveyed:

1. The City of Oakville permits a 12:30 a.m. to 2:30 a.m. bingo lottery on the weekends. Presently, only one of the two bingo halls in Oakville conducts these early morning events.

2. The City of Ottawa's Bylaw permits the conduct of bingo events from 12:30 a.m. to 3:00 a.m. for weekends only.

3. The City of Windsor conducts bingo lottery events on a 24-hour basis. The various sponsors have had difficulty in recruiting bonafide volunteers for the early morning events. It must be emphasized that 95% of the bingo patrons are American.

4. The Town of Fort Erie conducts bingo lottery events between the hours of 8:00 a.m. and 2:00 a.m. of the following day. Ninety percent of their patrons are American. The only security feature that this hall provides is video cameras which monitor the parking lot.

5. The City of Vaughan licenses the bingo hall in Woodbridge. Although, 1:00 a.m. to 3:30 a.m. bingo events are permitted daily, these events are only conducted on the weekend.

6. St. Thomas, North Bay, Pembrook and Ajax license bingo lottery events until 3:00 a.m. and halls must provide security guards in the parking lots.

7. The City of Mississauga is presently reviewing a request for an extension of the hours of operation of bingo halls past 1:00 a.m.

8. St. Catharines restricts the hours of operation of the halls to 12:00 midnight. As well, all bingo events in the City of Niagara Falls must finish by 12:30 a.m.

9. In the Cities of Toronto and North York, bingo halls are closed by approximately 1:00 a.m. Etobicoke's by-law states that no bingo event can begin after 10:30 p.m. and all patrons must leave the hall by 11:30 p.m.

In order to determine the effect of these extended hours in bingo halls, it is recommended that there be a 6-month trial period in order to analyze the impact on the Bingo Industry, as well as the neighbouring residential areas. It is also recommended that these events be restricted to Saturday and Sunday mornings because weekends are historically the more profitable time periods and it should be easier for the licensees to get volunteers from its membership to work at the event. If security guards are provided during these early morning hours, it may encourage more customers to attend 1:00 a.m. bingo games, as well as reduce the risk of thefts to patrons and the sponsors who may be carrying large sums of money. There will be no buses available after 1:00 a.m. and all patrons will have to use either taxicabs or private vehicles.

6.(f.)

CITY OF HAMILTON

- INFORMATION -

DATE: 1995 June 15

REPORT TO: Susan K. Reeder
Secretary, Finance and Administration Committee
City Clerk's Department

FROM: J.J. Schatz
City Clerk and Returning Officer

SUBJECT: **Council Vacancy/Election to Legislative Assembly**

BACKGROUND:

Pursuant to Section 37(1) of the Municipal Act, a Member of the Assembly as provided in the Legislative Assembly Act is not eligible to be elected a Member of Council or to hold office as a Member of a Council.

The Legislative Assembly Act Section 9(2) reads as follows:

> Every person who is elected a Member of the Assembly while holding an office referred to in Subsection (1) may continue to hold such office, despite any other Act, until the end of the day on which the return of the Election of such person to the Assembly is published in the Ontario Gazette under Section 82 of the Elections Act, at which time the Member shall be deemed to have resigned such office.

A Council seat may also become vacant pursuant to Section 38(d),(e) of the Municipal Act where the Member files a resignation with the Clerk of the Municipality.

Duties of Council

Pursuant to Section 43 of the Municipal Act, where the seat of a Member of a Council becomes vacant, the Council shall *forthwith* declare the seat to be vacant.

Options Available to Council

Appointment

Subject to the procedure outlined in Section 45 of the Municipal Act, Council may fill the vacancy by appointment. Where more than one person is nominated for appointment to fill a vacancy, a majority vote of the remaining Members of Council is required for the appointment.

A person nominated under Section 45 who receives the votes of more than one half the number of all Members of Council shall fill the vacancy for which the vote by Council was held.

It should be noted that any person who is nominated for appointment to fill a vacancy under the Section shall have consented to the Nomination and be qualified to hold Office as a Member of Council.

Election

Section 46(1) of the Municipal Act permits the Council of a municipality to pass a by-law requiring an Election to be held to fill the vacancy in accordance with Section 108 of the Municipal Elections Act.

Pursuant to Section 5 of the Regional Municipal of Hamilton-Wentworth Act, the person elected or appointed to fill the Council vacancy will become a Member of the Regional Council.

Both the Municipal Act and the Municipal Elections Act are silent with regard to the time permitted for Council to make a decision regarding an appointment or the holding of a By-Election. The Municipal Act does however indicate that Council shall *forthwith* declare the seat to be vacant, which would seem to imply that the decision on the manner of filling the vacancy should also be made *forthwith*.

Vacancy after March 31st of 1997

Where a vacancy occurs in the Office of a Member of the Council of a local Municipality after the 31st day of March of an Election year, the vacancy shall not be filled by a new Election but by appointment. Where the vacancy occurs less than 46 days prior to the Nomination Day in an Election year, the vacancy need not be filled.

By-Election Budget

The estimated budget for a 1995 By-Election would be $50,000. This figure is based upon an estimate of staffing and materials required and an analysis of the budgets of past By-Elections. Sufficient funds for a By-Election budget have been previously allocated in the Election Reserve Account.

Tentative By-Election Date

Should Council formally pass a By-law authorizing a By-Election at their meeting of 1995 June 27, a suggested By-Election date would be Tuesday, 1995 September 12. Should a decision not be reached until 1995 July 11, a suggested By-Election date would be Tuesday, 1995 October 3. Nomination Day must be within 60 days of the passing of a by-law authorizing a By-election. The Election Date must be 28 days after Nomination Day.

7. (a.)

CITY OF HAMILTON

- INFORMATION -

DATE: 1995 June 7

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Honeywell Service Agreements

BACKGROUND:

In approving Item 27 of the FIFTEENTH Report from the Finance and Administration Committee at City Council on May 30, 1995, Council requested an information report from the Property Department further explaining the tardiness of this recommendation along with the timetable to prepare the specifications and tender this service.

Although it would have been most desirable to have been in a position to tender this service at the end of 1994, extenuating circumstances prevented staff from completing the comprehensive specification required to ensure the City continued to receive satisfactory service.

Since 1960, Honeywell Limited has provided service to the City of Hamilton for its heating, ventilating and air conditioning equipment. During this time the City has constructed several new facilities in the downtown core and more recently, several others on the Mountain. These facilities have become more complex with respect to the automated controls of the H.V.A.C. equipment and require specific periodic servicing and inspection. As and when the City constructed these new facilities, individual service agreements were put in place between the City and Honeywell Limited. These individual agreements, when combined, represent a significant commitment by the City. It was with this in mind that staff decided to develop a single, comprehensive specification for the purpose of tendering this service. However, due to the challenges presented by the task of developing a specification coupled with the extenuating circumstances mentioned previously, staff were unable to devote the necessary time and effort required.

The primary circumstances which prevailed at the time and consequently distracted staff from concentrating their efforts on preparing the tender documents, included the amalgamation of the Central Utilities Plant, formerly a division of H.E.C.F.I., with the Property Maintenance Division of the Property Department and the extended (12 month) absence of the Chief Engineer, C.U.P., a key management position responsible for day-to-day operations of the Central Utilities Plant as well as long term planning and budgeting.

Staff have since reestablished this task as a priority and will continue to work on the development of the specifications for the purpose of tendering. A realistic schedule would have it being tendered by the end of September and submitted to Committee and Council for approval at the November 14, 1995 Council meeting.

DWV/rd

cc. Alderman T. Anderson, Alderman Ward 7
J.G. Pavelka, Chief Administrative Officer
R. Desnoyers, Assistant Manager, Building Operations & Maintenance

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 May 2

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Service Agreements - Honeywell/Beaver Limited

RECOMMENDATION:

That approval be given to issue a purchase order in the amount of $268,974.00 plus G.S.T. to Honeywell/Beaver Limited of Hamilton for the maintenance of the Building Automation/Temperature Control Systems in the following buildings from April 1, 1995 to December 31, 1995 while staff develop specifications for the purpose of re-tendering this service:

TEMPERATURE CONTROL/BUILDING AUTOMATION

LOCATION	FEE - APR 1/95 to DEC 31/95
City Hall	$21,585.00
Market/Library	$25,797.00
CUP/Parking Garage	$53,844.00
Convention Centre	$34,488.00
Copps Coliseum	$98,805.00
Chedoke Twin Pad	$13,650.00
Hamilton Place	$14,235.00

AIR CONDITIONING EQUIPMENT

Macassa Fire Station	$ 3,212.00
Chedoke Twin Pad	$ 3,358.00
	$268,974.00

DWVyce

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The above amounts shall be funded from various "Temperature Control" accounts within the Property Department's approved 1995 budget. The fees being charged for this service for the balance of 1995 represents a one (1%) increase over last year.

BACKGROUND:

The Building Automation/Temperature Control Systems (control systems) located in the aforementioned buildings provide the on-going monitoring, controlling, scheduling and energy management of the building's environmental, mechanical, electrical and life safety systems to ensure a safe and comfortable atmosphere for building occupants. These systems are quite complex and require specific maintenance checks and calibrations to ensure their accuracy and efficiency.

Honeywell/Beaver Limited have been providing the necessary service and support of the control systems for the past 35 years. During that time this service has been tendered several times with Honeywell being awarded the contract each time. Honeywell continues to provide reliable and affordable service.

Council previously approved of the issuance of a purchase order to Honeywell for the above mentioned buildings as follows:

City Hall	1981
Market/Library	1981
CUP/Parking	1981
Convention Centre	1992
Copps Coliseum	1992
Hamilton Place	1992
Chedoke Twin Pad Arena	NEW
Macassa Fire Station	NEW

Because of the complexity and vast number of systems, staff will not complete the task of developing current specifications for the purpose of tendering until later in June of this year. The equipment currently being serviced by Honeywell must continue to be inspected, calibrated and maintained in order to provide satisfactory environmental conditions within the affected buildings. Therefor, Council approval of this recommendation will ensure that during the interim while staff develop the specifications and tender documents, the control systems will not be neglected.

DWV/rd

cc. J.G. Pavelka, Chief Administrative Office
A.C. Ross, City Treasurer
C. Mascarenhas, Acting Manager of Purchasing
Attention: J. Krochak
R. Desnoyers, Assistant Manager, Building Operations & Maintenance
L. Ames, Office Manager, Building Operations & Maintenance

7. (b.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 June 14

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Realty Sales Procedural By-law 95-049
Declaration of Surplus Property

RECOMMENDATION:

That the property at 401-403 King Street West be declared surplus to the requirements of the City in accordance with the Realty Sales Procedural By-law 95-049.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

By-law 95-049 requires all City owned lands not exempted by Ontario Regulation 815/94 be declared surplus prior to sale.

BACKGROUND:

Effective 1995 January 1 the Municipal Act was amended by the Planning and Municipal Statute Law Amendment Act requiring municipalities to enact a by-law to establish procedures for the sale of real property owned by a municipality.

On 1995 February 14 City Council adopted Item 8 of the 5th Report of the Finance and Administration Committee and enacted the Realty Sales Procedural By-law 95-049. Section 5(a) of this by-law declares that "Real property of the City shall not be sold unless it is surplus to the requirements of the City".

The property at 401-403 King Street West (Wesley House) has been circulated to all City and Regional departments and associated boards and commissions and there has been no declared municipal interest.

The Community Adolescent Network of Hamilton who currently rent this property from the City will be vacating the premises on 1995 August 1 as they have purchased a new building. Wesley House was purchased by the City on 1969 May 27 for the sum of $56,000. City Council at its meeting of 1988 April 26 approved a resolution that authorized a maximum of $100,000. of the revenue derived from the sale of 401-403 King Street West would be used to assist The Community Adolescent Network of Hamilton in the purchase of an alternate parcel of vacant land upon which Wesley House could erect a new structure. It is proposed to offer this property for sale at $140,000.

RJH/nw

c.c. P. Noé Johnson, City Solicitor

Allan C. Ross, Treasurer

R. Swan, Manager, Building Operations and Maintenance Division


A/S-569
A/S-569
BARTON
STREET
WEST
KING
STREET
WEST
MAIN
STREET
WEST
STREET
WEST
A/S-450
A/S-450
A/S-450
E/S-333
E-3/S-1208
E-3/S-138
H/S-481
H/S-481
H/S-700
H/S-746
H/S-746
A/S-480
D/S-480
E-3/S-
H/S-1208
H/S-834

7. (c.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 June 5

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Central Utilities Plant - Cogeneration
Alternative Site Study

RECOMMENDATION:

1. (a) That approval be given to issue a purchase order to Marsh Energy Inc. of Burlington, Ontario in the amount of $58,850. inclusive of G.S.T. ($3,850.) for the preliminary engineering evaluation of alternative site CH-2 (City Hall) for the Central Utilities Cogeneration Plant; and,

   (b) That as timing is of the essence due to this project being funded through the Canada/Ontario Infrastructure Works Program, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council."

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

This amount to be funded from Capital Funds Account #CF809453006 5450 - C.U.P. Tri-Generation-M1610105. The approved Capital Budget is $7,728,500. It is being proposed that the alternative site study be funded from the contingency.

Consulting Fees (Phase I)	$ 28,255.
Estimated Construction Cost	$6,234,715.
Engineering Fees (Phases II - VI)	$ 812,130.
Contingency	$ 653,400.
	$7,728,500.

BACKGROUND:

City Council approved of Item 16 from the SIXTH Report of the Finance and Administration Committee for 1995 which recommended issuing a purchase order in the amount of $812,130. inclusive of G.S.T. ($53,130.) to Marsh Energy Inc. of Burlington, Ontario for the design, engineering and project management of the Central Utilities Cogeneration Plant estimated at 7.7M dollars.

The scope of work specified in the original tender documents and included as part of the contract between the City and Marsh Energy, focused on a specific site referred to as "A-2". This site is located on the sixth level of the underground parking garage directly beneath the Hamilton Art Gallery. Preliminary investigations and analysis determined this site to be feasible both economically and technically. Although there are concerns regarding noise, vibration and the aesthetic treatment to the exposed stack which would be attached to the west face of the Art Gallery, it is anticipated that these issues can be dealt with in a satisfactory manner. Site A-2 formed the basis for the preliminary construction estimates which were subsequently submitted to Committee and Council for approval.

During investigations on the mechanical and electrical interconnection between the Central Utilities Plant and City Hall, Marsh Energy and City staff identified an alternative site at the back of City Hall, adjacent to the existing boiler room, which appears to have the potential to offer advantages, both technically and economically, over the A-2 site. The apparent advantages of this alternative site, referred to as CH-2, makes it worthy of further in-depth study so as to compare it to the proposed underground parking garage site.

From a technical point of view, it does not matter where the engine generator sets are placed providing they interconnect with the Central Utilities Plant for distribution to the user facilities. The advantages of the CH-2 site appear to be that noise and vibration would not be as critical since there is not a "passive" building like the Art Gallery in the immediate vicinity. This, theoretically, suggests there may be savings in acoustical and vibrational attenuation. Furthermore, architectural treatment of the stack would be of less concern at site CH-2 versus A-2 and access to install the major components of the plant would require far less structural work at the CH-2 site as compared to A-2.

Overall, there appears to be sufficient advantages of site CH-2 as compared to site A-2 which would warrant further evaluation so that an accurate comparison can be made. The proposed cost of performing this evaluation as submitted by Marsh Energy represents fair compensation for approximately three weeks of effort in order to determine the economic and technical feasibility of the Civil, Architectural, Structural, Mechanical, Electrical, Noise and Environmental components of the alternative site in order to compare to site A-2.

It is anticipated that the fees to study the alternative site can be recovered through an overall reduction in construction costs due to the apparent site specific advantages.

DWV/rd

cc. Alderman Charters, Chairman, Finance and Administration Committee
J.G. Pavelka, Chief Administrative Officer
P. Noé Johnson, City Solicitor
A. Ross, City Treasurer
N. Adhya, Manager of Budgets, Treasury Department
P. Hooker, Senior Solicitor, Law Department
R. Desnoyers, Assistant Manager, Building Operations & Maintenance
J. Krochak, Senior Buyer, Purchasing Division, Treasury Department

7. (d.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 June 13

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Award of Contract - Engine/Generator Supplier
Central Utilities Cogeneration Project

RECOMMENDATION:

1. (a) That authorization be given to establish a purchase order in the amount of $3,649,427. inclusive of G.S.T. ($223,886.) for accounting purposes, only becoming effective upon execution of a formal Agreement, prepared by the City Solicitor, between the City and Toromont/Caterpillar of Concord, Ontario for the supply, installation and commissioning of two 3612 engine-generator sets with a nominal output of 2,100 kilowatts for the Central Utilities Cogeneration Plant, this being the lowest of three proposals received in accordance with the specifications issued by the Purchasing Division, Ref:C14-4-95; and,

   (b) That the Mayor and City Clerk be authorized and directed to execute the said Agreement on behalf of the City; and,

   (c) That the Agreement specify the various stages of engine construction completion at which particular amounts of the total money amount in (a) will be payable, as per a Schedule of payment to be agreed by the City and Toromont/Caterpillar; and,

   (d) That the Director of Property be authorized and directed to initiate negotiations with Toromont/Caterpillar for an extended maintenance agreement for the engine-generator sets; and,

(e) That as Toromont/Caterpillar offered various options for larger capacity generators along with their base bid proposal which may prove to be beneficial to the City, the Director of Property be authorized to evaluate, along with the City's Consultant, Marsh Energy Inc., the two options submitted and prepare a report for the next scheduled Committee and Council meetings. In the event the City, in its sole discretion decides to pursue the acquisition and installation of such larger capacity generators, then the Agreement referred to in (a) to (c) above would be amended accordingly.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

This amount to be funded from Capital Funds Account No. CF809453006 5450 - C.U.P. Tri-Generation-M1610105. The approved Capital Budget is $7,728,500.

Consulting Fees (Phase I)	$ 28,255.
Estimated Construction Cost (includes engine-generator sets, auxiliaries and facility to house the engines)	$6,234,715.
Engineering Fees (Phases II - VI)	$ 812,130.
Engineering Fees (Alternative Site Evaluation)	$ 58,850.
Contingency	$ 595,150.
	$7,728,500.

Staff's review of the tenders have confirmed that Toromont/Caterpillar has offered the City a cost competitive 5 year maintenance contract as part of their base bid proposal. With this 5 year maintenance contract as a negotiating point, it is desirable to determine if the City can negotiate an extension to the contract beyond the 5 years up to 20 years.

BACKGROUND:

In February of this year, City Council approved of Item 16 of the SIXTH Report from the Finance & Administration Committee recommending that a purchase order be issued to Marsh Energy Inc. of Burlington, Ontario to commission them as the City's Prime Consultant for the design, engineering and project management of the Central Utilities Cogeneration Plant.

The City received approval for partial funding ($4,043,000.) of this project in September 1994 as part of the Canada/Ontario Infrastructure Works Program. The balance is funded in the approved 1994 - 2003 Capital Budget ($2,021,500) and 1995 - 2004 Capital Budget ($1,663,411.).

Since February of this year, Marsh Energy and City staff have been developing the specifications for the purpose of tendering the engine-generator sets and auxiliaries. This being the single largest component of the overall project and in lieu of the lengthy delivery time, it was determined that pre-tendering the engine-generator sets including the installation would ensure that the timetable resulting from the Infrastructure Guidelines could be met and that energy savings could be realized to the City at the earliest possible date.

In response to the Request For Tender issued by the Purchasing Division, March 15, 1995, Ref: C14-4-95 and in accordance with the specifications therein, there were three tenders received for the supply and installation of two identical engine-generator sets and auxiliaries for the Central Utilities Cogeneration Plant to produce a nominal 3.8 MW of electrical power. The tender prepared by U.S.Turbine Corporation was unacknowledged and not accepted because they were late in submitting. The three acceptable tenders were received from reputable manufacturers, each with experience in the field of cogeneration utilizing spark ignited natural gas engines. They were:

COMPANY	BASE BID
Toromont/Caterpillar	$3,649,427.
Wartsila Diesel Canada Inc.	$4,855,300.
Pamco-Atlas Limited	$5,419,550.
GEC Alsthom	Disqualified - did not acknowledge all addenda.

Upon receipt of the three accepted tenders, the City's Consultant, Marsh Energy Inc. of Burlington, Ontario began an exhaustive evaluation of the technical and economic data submitted by each of the suppliers.

The evaluation effort took into consideration the initial installed capital cost, as well as long term (20 year) costs in order to determine the most cost effective proposal over the design life of the plant. Other major considerations included the fuel efficiency, predicted maintenance costs, net present cost of operation over the life of the plant and consumables such as lube oil and filters.

As required by the terms of the Federal/Provincial/Municipal Infrastructure Agreement, each proposal was subjected to the Canadian Content Preference Policy. As there are no Canadian manufacturers of this type of equipment, the application of this policy did not change the outcome of Marsh's analysis.

The criteria used in the evaluation of each submission included:

- Economics which included -
  - Capital Cost
  - Efficiency of Engines
  - Load Factor
  - Life Cycle Cost
- Air Emissions and Noise Levels
- Available Power -
  - Electrical
  - Thermal
- Mechanical/Electrical -
  - Quality
  - Reliability
  - Suitability
- Controls
- Maintenance & Emergency Service
- Reference Survey

In addition to the above, each of the proponents' Engineering teams and organizations were assessed on previous applicable experience.

Due to the differences in each manufacturers' design and electrical capacities it was necessary that the evaluation consider the amount of usable electrical and thermal energy produced by the equipment of each supplier by performing a Load Factor Analysis. This analysis would accurately calculate the potential savings generated by each of the proposals.

On completion of the comprehensive analysis of the suppliers data, Marsh Energy Inc. have concluded that the proposal submitted by Toromont/Caterpillar would provide the City with a quality cost saving installation over the design life of the plant with a high degree of reliability. Furthermore, the proposal submitted by Toromont/Caterpillar was within the original estimated budget for this portion of the overall project. Based on their conclusions, Marsh has recommended to the City to accept the base bid proposal as submitted by Toromont/Caterpillar and initiate negotiations for an extended maintenance contract.

Attached hereto is a table which summarizes Marsh's technical and economic evaluation of the proposals received in response to the Request for Tenders.

DWV/rd

attch.

cc. J.G. Pavelka, Chief Administrative Officer
P. Noé Johnson, City Solicitor
A. Ross, City Treasurer
J. Krochak, Senior Buyer, Purchasing Division
P. Hooker, Senior Solicitor, Law Department
R. Desnoyers, Assistant Manager, Building Operations & Maintenance.
N. Adhya, Manager of Budgets, Treasury Department

TABLE 5	DESCRIPTION: PROPOSALS EVALUATION
DATE : MAY '95	PROJECT: CITY OF HAMILTON

VENDOR	WARTSILA	WAUKESHA	CATERPILLAR
Performance	BASE BID	BASE BID	BASE BID
Site Rating: kWe	3578	4000	4200
Electrical Efficiency, 100% Load	38.0%	38.2%	39.5%
Thermal Efficiency	37.4%	34.0%	32.5%
Total Efficiency	75.4%	72.2%	71.9%
Lube Oil Consumption: g / kWhr	0.60	0.30	0.30
Expected Availability	95%	98%	95%
Annual Load Factor	92.2%	88.4%	86.6%
Total 5 year Life Cycle Cost (2)	$1,495,514	$386,732	$563,603
5 year Maintenance Proposal (2)	$1,077,240	$386,732	$325,058
Total 20 years Life Cycle Cost (2)	$8,843,692	$3,729,098	$3,603,144
Warranty Major Comp. (month)	36	60	36
Warranty Auxiliaries (month)	12	36	36
Others			
Requested Options (Table 4)	Satisfactory	Good	Very Good
Technical Proposal	Good	Satisfactory	Very Good
Engine Track Record	Satisfactory	Excellent	Good
Experience of Firm	Very Good	Very Good	Very Good
Proposed Team	Satisfactory	Satisfactory	Excellent
Emergency Service	Satisfactory	Very Good	Excellent
Low Grade Heat	Satisfactory	Very Good	Very Good
Absorption Chilling	Satisfactory	Satisfactory	Excellent
Economical			
1st Year Savings	$853,809	$982,069	$1,030,620
Present Value of 20 Year Savings	$7,762,977	$10,892,747	$11,379,586
Cogen Island Capital Cost (TI)	$4,855,300	$5,419,550	$3,649,427
Cogen Island NPV over 20 Years	$2,907,677	$5,473,197	$7,730,159
Capital Cost per kW of Capacity	$1,357	$1,355	$869

SOURCE : ENGINE MANUFACTURERS

MARSH ENERGY INC.

8.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 June 15

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. G. Hindson, P.Eng.
Director of Information Systems

SUBJECT: Operational Review of Information Systems Department
Re-issuance of Request for Proposals for Operations portion of the Study (95-154).

RECOMMENDATION:

(a) That Item 11 (a) and (b) of the 15th Report of the Finance and Administration Committee adopted by Council at its meeting 1994 October 11th be rescinded with respect to any references to Andersen Consulting of Etobicoke; and

(b) That the Director of Information Systems be authorized to issue a request for proposals for Consulting firms to undertake the operational review portion of the Study of the Information Systems Department.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:
None

BACKGROUND:

On 1994 October 11th, City Council approved of the engagement of two consulting firms to conduct portions of the Operational Review of the Information Systems Department. Compass Analysis of Kitchener, Ontario was to perform the analysis activities relative to comparing (benchmarking) Information Systems with other private and public providers of information technology services. Andersen Consulting of Etobicoke was to provide the operational review analysis of the department's operations.

Subsequent to Council's approval of the engagement of these two firms, contract negotiations commenced with both parties. The contract with Compass Analysis was concluded on 1995 February 13 and Compass proceeded with their work and the draft report of their findings is expected to be received by June 27th.

Andersen advised by correspondence on 1995 Feb 13th that they "were unable to provide the appropriate personnel at this time" and that to "contact us to discuss the review portion" after the Compass Analysis portion was completed. After subsequent phone discussions and return correspondence of 1995 March 21, Andersen was advised that we were awaiting a schedule and staff assignments. Andersen further advised (on May 12th) that they "were unable to free up staff to do the work."

It is evident that Andersen Consulting is unable to proceed with this assignment and it is therefore recommended that a modified Request for Proposals be issued to locate an alternative Consulting firm to perform the work. Andersen Consulting has not received, and is not entitled to receive, any payments for this assignment.

The estimated cost for the replacement consultant will be the same amount allocated in the original budget for this work ($65,000) to be shared equally between the City and Region.

The inability of Andersen Consulting to follow through with their original proposal to perform this work will be brought to the attention of any department or agency considering them for involvement in any future project with the City or Region.

c.c. Members of the Operational Review Steering Committee:
Alderman Frank D'Amico (Chair)
Alderman Don Ross
Alderman Bob Charters
Councillor Ann Sloat
Councillor Glen Etherington
Michael Fenn, Region CAO
Joe Pavelka, City CAO

P. Noé Johnson, City Solicitor
Allan C. Ross, Treasurer

CITY OF HAMILTON

- RECOMMENDATION -

10.

DATE: 1995 June 15

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. D. Lobo
Commissioner of Public Works and Traffic

SUBJECT: 1995 - 1998 Street Vendors Program - Supplementary Bids

RECOMMENDATION:

That the four Street Vendor locations be awarded for the period commencing June 1995 to the end of December 1998, to the successful proponents, one cart per location, as listed:

NAME	LOCATION	PRODUCT	FEE
Mustafa Ghamishah	N/E Corner of King & Catharine	Sausage/Hot Dogs	$2,000
	North side of King E. of James	Sausage/Hot Dogs	$7,200
Troy D'Souza	Jarvis Square Clock Tower	Sausage/Hot Dogs	$1,080
	Victoria and Barton	Sausage/Hot Dogs	$ 780

and that this approval is subject to confirmation of the following:

a) The products offered for sale are approved by the Hamilton-Wentworth Regional Health Department.

b) The submitted bids remain unchanged following the review by the Health Department.

c) The proponents enter into a legal agreement satisfactory to the City.

d) The City Solicitor be authorized to execute the agreements.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Estimated revenue to the City over the 3 year period is $11,060. This is in addition to the $78,660 reported previously for the primary bidding process. All operators must enter into a legal agreement with the City.

BACKGROUND:

As directed by City Council, the locations which were vacant following the formal bid process were made available to all those bidders involved in the that process. Eight proponents submitted 14 proposals for 4 of the 8 locations offered.

DF

2.

CONSENT AGENDA

FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, 1995 June 20th
1:30 o'clock p.m.
Room 233, City Hall

A. **MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE**

(i) Minutes of the regular meeting held Tuesday, 1995 May 23rd

(ii) Minutes of the special meeting held on Tuesday, 1995 May 30th

B. **CITY CLERK**

(i) Request for the Use of the City Hall Forecourt - Sunday, 1995 August 27 - 1995 National Cycling Championships

(ii) Appointments - Bingo Hall Review Committee

(iii) Croatia Day Committee - Request to fly flag - Tuesday, 1995 May 30

(iv) Request for the use of the City Hall Forecourt - The Bahai Community of Hamilton

(v) Request for the use of the City Hall Forecourt - North Hamilton Community Health Centre

C. **TREASURER**

(i) Authorization to Enter into Extension Agreements on Specific Properties for the payment of Realty Tax Arrears

(ii) Supply and Delivery of Gasoline and Diesel Fuel as and when required to 1998 June 30, various locations

D. **FIRE CHIEF**

Purchase of Fatigue Uniforms, Hamilton Fire Department

E. **COMMISSIONER OF HUMAN RESOURCES**

Appointments to and terminations from permanent positions with the Corporation of the City of Hamilton to 1995 June 9

F. **SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE**

Information Items

Tuesday, 1995 May 23
1:30 o'clock p.m.
Room 233, City Hall

The Finance and Administration Committee met.

A. (i)

There were present: Alderman B. Charters, Chairman
Alderman D. Ross, Vice-Chairman
Alderman D. Drury
Alderman T. Anderson
Alderman D. Wilson
Alderman M. Kiss
Alderman D. Agostino
Alderman V. Agro

Regrets: Mayor Robert M. Morrow - vacation

Also present: Alderman B. Morelli
Alderman G. Copps
Alderman H. Merling
Alderman M. Caplan
Alderman F. Eisenberger
J. Pavelka, Chief Administrative Officer
A. Ross, Treasurer
P. Noé Johnson, City Solicitor
S. Hollowell, Acting City Clerk
M. Watson, Real Estate
R. Desnoyers, Property
J. Hindson, Director of Information Systems
J. Johnston, Commissioner of Human Resources
C. Guthro, Fleet Services, Public Works
D. Lobo, Director of Public Works
J. Avery, Purchasing
Susan K. Reeder, Secretary

AGENDA

9. REFERRAL BACK FROM CITY COUNCIL - Various Maintenance Services required by the Real Estate Division of the Property Department and the Building Department, during 1995, 1996 and 1997.

The Committee was in receipt of the above noted matter which had been referred back by City Council at its meeting held Tuesday, 1995 May 9th.

Alderman Morelli spoke to this matter, and requested clarification on why the number of hours involved in the contract were not provided to the bidders. Mike Watson of the Real Estate, Property Department responded and indicated that the contract hours are unknown due to the work required being done on as need basis.

Further discussion then ensued on this, and the Committee approved the following original recommendation:

> That a purchase order be issued to R.C.M. Contracting Ltd., Hamilton, to supply various maintenance services as and when required by the Real Estate Division of the Property Department and the Building Department during 1995, 1996 and 1997, being the lowest acceptable of the twelve (12) tenders received in accordance with the specifications issued by the Manager of Purchasing and Vendor's tender, and be financed through the Building Department's Property Standards Account No. CH 15411 00001, and the Property Department's Building Repairs - Civic Properties Account No. CH 57301 31106.

Hourly Rate One Person	$30.
Hourly Rate Two People	$37.
Hourly Rate Three People	$44.
Hourly Rate for Rubber Tire Backhoe with Operator	$40.

3. **MAYOR ROBERT M. MORROW - Project Support - Canadian Country Music Association 1995 Host Committee Hamilton.**

The Committee was in receipt of a report from the Mayor dated 1995 April 18th respecting the above-noted matter. The Committee approved the following:

(a) That the City of Hamilton provide up to $20,000. for the celebration of Country Music Artists, industry representatives and visitors to Hamilton from 1995 September 15 - 18; and,

(b) That this expenditure be charged to Account No. CH 55314 84010 - Special Civic Receptions and Delegation Hostings.

4.(b) **TREASURER - Supply and Delivery of Office Supplies - Various departments**

The Committee was in receipt of a report dated 1995 May 18th from the Treasurer respecting the above-noted matter. Mr. Hill of Grand and Toy was in attendance and spoke briefly to the Committee respecting the possible move of the proposed supplier being recommended.

The Committee then approved the following:

That a purchase order be issued to Guymark Mister Stationer, Kitchener, to supply and deliver office supplies to various departments for a period of one (1) 12-month term with an option in favour of the City to renew for two (2) 12-month terms, being the lowest of four proposals received, in accordance with a Request for Proposal issued by the Purchasing Department and Vendors Proposal, and be financed through various approved Office Supplies Accounts.

10.(a) **DIRECTOR OF PROPERTY - Hamilton Firefighters Drum Corps Inc. - Increased Loan Request - Practice Facility - Dartnall Road**

The Committee was in receipt of a report from the Director of Property dated 1995 May 17th respecting the above-noted matter.

Alderman Merling addressed the Committee on this issue. Some discussion ensued and the Committee approved the following:

(a) That the City of Hamilton increase the interest free loan provided to the Hamilton Firefighters Drum Corps Inc. to be used towards the cost of building a practice facility on the Dartnall Road property, which is leased from the City for 25 years, from a maximum loan of $300,000. to a maximum loan of $400,000.; and,

(b) That this increased loan be financed from the Reserve for Contingency Centre Number CH 00115 and all repayments are to be credited to this same reserve; and,

(c) That the loan repayment period stipulating payments of a minimum of $10,700. quarterly be extended from twenty-eight (28) consecutive quarters or seven (7 years) to thirty-eight (38) consecutive quarters or approximately ten (10) years; and,

(d) That the City Solicitor be authorized and directed to prepare an amending agreement to the original 25 year lease agreement, between the City and the Hamilton Firefighters Drum Corps Inc., incorporating the amendments stated in (a) and (c) above.

1. **IN CAMERA AGENDA**

The Committee moved into an In-Camera Session to discuss matters of a Private and Confidential nature.

The Committee then moved back into regular session, and approved the following:

AA. **CITY SOLICITOR AND DIRECTOR OF PUBLIC WORKS - City of Hamilton -ats- Randall; City of Hamilton -ats- Scott**

(a) That the City resolve Small Claims Court Action No. 4750/93 by the payment to the Plaintiff, Bonnie Randall, of the sum of $500. inclusive of all claims for damages, interest and costs; and,

(b) That the City resolve Small Claims Court Action No. 1965/94 by the payment to the Plaintiff, Donna Scott, of the sum of $500 inclusive of all claims for damages, interest and costs; and,

(c) That the Plaintiffs, Bonnie Randall and Donna Scott, be require to execute Full and Final Releases in a form satisfactory to the City Solicitor; and,

(d) That Small Claims Court Action 4750/93 and Small Claims Court Action 1965/94 be dismissed as against the City without costs; and,

(e) That Third Party Actions in Small Claims Court Action 4750/93 and Small Claims Court Action 1965/94 between the City and The Regional Municipality of Hamilton-Wentworth be dismissed without costs.

BB. **CITY SOLICITOR - City of Hamilton -ats- Formosi**

That the City resolve Ontario Court (General Division) Action No. 38313/92 by consenting to the dismissal of the Action and all Cross-Claims, by and against the City, without costs.

CC. **TREASURER - Write-Off of Outstanding Business Taxes**

That outstanding business taxes in the amount of $435,151.49 be written-off in accordance with Section 441 of the Municipal Act, R.S.O. 1990, and charged to Account CH 53401 24106, Tax Write-Offs.

ADDED - DIRECTOR OF PUBLIC WORKS - Supply of Tires and Tire Maintenance Service - Fleet Services

The Committee was in receipt of an added report dated 1995 May 17th from the Director of Public Works respecting the above noted matter. Alderman Agro declared a conflict of interest in this matter, as it pertains to one of the bidders - Frank's Tire Service Limited.
Alderman Agro then left the meeting.

Some discussion ensued, and the Committee approved the following:

That a purchase order be issued to McKenzie Tire Inc., Hamilton, and Beverly Tire Service Ltd., Hamilton, for the Supply of Tires and Tire Maintenance Service for 1995, with an option to renew for three (3) additional two (2) year terms, expiring December 31, 2002, being the lowest total acquisition cost in accordance with the specifications issued by the Purchasing Division, and be financed through the Fleet Services, City Garage Tires and Tubes Account No. CH56701 27005.

12. **TREASURER AND CITY SOLICITOR - Ontario Workers Arts and Heritage Centre Capital Funding**

The Committee was in receipt of a joint report from the Treasurer and the City Solicitor dated 1995 May 23rd respecting the above-noted matter.

The City Solicitor advised of the following changes to be made to the recommendation: The reference to the condition of the Custom House not being in operation for more than four consecutive weeks is to be changed to eight consecutive weeks. Also a clause is to be added to make provision to uphold the Province's rights (if any) of mortgage security to acquire the Custom House.

Discussion ensued on this matter, and the Committee approved the following recommendation, as per the amendments referenced above:

(a) That the City of Hamilton's $650,000. financial support for the Ontario Workers Arts and Heritage Centre Inc., ("Centre Inc."), at the historic Custom House, 51 Stuart Street, be provided by means of a Funding Agreement to be entered into by the City with the Ontario Workers Arts and Heritage Centre Inc., in a form and substance satisfactory to the City Solicitor, to provide a $650,000. conditional capital grant secured by a first mortgage on the property, upon the following terms and conditions:

(i) City grant shall be advanced in instalments over two years at the times listed below to be applied towards the Centre's annual operating expenses including staff salaries, benefits, utilities, property taxes, insurance & legal expenses of mortgage to City, which expenses are generally outlined below:

Centre Inc. Allocation		Grant Payments Schedule	
Building Renovation:	$200,000.	May 1995:	$100,000.
Salaries:	$120,000.	September 1995:	$200,000.
Programming:	$ 40,000.	January 1996:	$100,000.
Programming Equipment:	$ 40,000.		
1995 Expenses:	$400,000.		
Salaries:	$120,000.	May 1996:	$150,000.
Programming:	$ 50,000.	September 1996:	$100,000.
Programming Equipment:	$ 80,000.		
1996 Expenses	$250,000.		
Total	$650,000.	**Total City Grant**	$650,000.

(ii) City grant is also conditional upon Centre Inc.,

(1) opening the Custom House for public use with its programs on or before 1997 May;

(2) remaining continuously in full operation at the Custom House for a minimum period of five years, namely until 2002 May 31, at which time the mortgage security in favour of the City would be discharged; and

(3) using the City grant only for Centre Inc.'s operational expenses in Hamilton at the Custom House.

(iii) In the event that the Centre at any time prior to 2002 May 31 ceases to function, including ceasing to remain in operation at the Custom House for more than eight consecutive weeks, or there is default with the other loan conditions referred to herein, in the mortgage or in the Funding Agreement (authorized below), the conditional grant would immediately be repayable in full to the City (without interest). If repayment were not received, the City may enforce the mortgage or exercise its rights at law to recover the funds, including legal action, power of sale or foreclosure of the property;

(iv) Centre Inc. shall provide audited financial statements of its organization (including operation of the Custom House) to the City not less than annually and as may be further required from time to time by the City Treasurer;

(v) no advances of the City grant shall be made unless Custom House real property taxes, Hamilton Hydro and Regional water accounts are in good standing, no liens or executions affect the property or Centre Inc. and there is no default by Centre Inc. in compliance with the grant terms;

(vi) default under Centre Inc.'s mortgage of the Custom House to the City shall be deemed to occur upon any default of Centre Inc. in complying with the grant terms, including, but not limited to, the following:

(1) if, in the opinion of the City, Centre Inc. ceases for more than eight weeks to keep the Custom House staffed and, after its 1997 May opening, open to fulfil its objectives;

(2) use of City grant money for any non permitted purpose;

(3) if Centre Inc. sells, agrees to sell, leases or licenses the Custom House to any other person;

(4) default in compliance with the Heritage designation By-law, the registered Heritage Easement with the Province or the Heritage Act, any other agreement with the City, or any by-law of the City;

(5) default in compliance with any of its grant terms with the Province of Ontario;

(6) failure to pay and keep in good standing all real property tax amounts, hydro and water accounts, property and public liability insurance, (as required by the City), during the five year term of this repayable grant; and

(7) non compliance with Standard Mortgage/Charge Terms No. 911; and

(b) That Centre Inc. be required to enter into a Funding Agreement with the City to record and confirm the terms of the City's repayable conditional grant, including the conditions expressly referred to in this resolution and that the Mayor and City Clerk be authorized to execute the said Funding Agreement in a form satisfactory to the City Solicitor and the City Treasurer; and

(c) That Centre Inc. acknowledge that the City, by making this $650,000. seed money grant, makes no representation that any other grant or loan to Centre Inc. may also be approved by the City during or after this $650,000. repayable grant; and

(d) That Centre Inc.'s lawyers (who have acted for Centre Inc. in its purchase of Custom House with the provincial grant), also be required to prepare, register and certify to the City the said required mortgage security in a form satisfactory to the City Solicitor. Such mortgage shall be an interest free mortgage for a term expiring on 2002 May 31 and shall be subject to the rights of the Province, if any, to acquire the Custom House; and

(e) That this grant be charged to Account Centre No. CF 259555018.

Note: Alderman Anderson and Alderman Drury opposed.

4.(a) **TREASURER - 1994 Audited Financial Statements**

The Committee was in receipt of a report dated 1995 May 15th from the Treasurer respecting the above-noted matter. The City's Auditor was in attendance.

The Committee approved the following:

(a) That the 1994 Financial Report be received by City Council for information purposes; and,

(b) That the City Treasurer arrange to publish on one occasion the required 1994 financial information, based on the audited report, in The Hamilton Spectator as soon as possible, but in any event, within sixty days of receiving the audited statements and in accordance with regulations of the Ministry of Municipal Affairs.

7. **REFERRAL FROM REGIONAL COUNCIL - Regional By-law on Smoking Control**

The Committee was in receipt of Section 13 of the Ninth Report for 1995 of the Regional Health and Social Services Committee, adopted by Regional Council at its meeting held Tuesday, 1995 May 9th as follows:

13. Tobacco Control Act

That the Regional Chairman be authorized and directed to forward the following resolution to the Mayors of the Area Municipalities:

"That the six area municipalities be requested to endorse the empowering of Regional Council in the regulating of smoking in public places and workplaces, as specified in the Tobacco Control Act, Section 21,(14)" Item 3.1

The Committee agreed to receive this matter for information.

8. **CITY CLERK/MEDICAL OFFICER OF HEALTH - Smoke Free Hamilton by the Year 2000**

The Committee was in receipt of a report from the City Clerk dated 1995 May 16th respecting the above-noted matter. The Committee approved the following:

(a) That the attached report from Dr. Marilyn James, Medical Officer of Health, dated 1995 May 4, respecting "Smoke Free Hamilton by the Year 2000" be tabled until such time as Regional Council has decided whether or not to direct staff to initiate a process to develop a Regional By-law prohibiting smoking in all enclosed public places and workplaces; and,

(b) That, subject to Regional Council's disposition of this matter, the City Clerk be directed to report to the Finance and Administration Committee with respect to the financial and staffing implications to the City of Hamilton, in adopting the report and recommendations of the Medical Officer of Health.

2. **CONSENT AGENDA**

The Committee was in receipt of its Consent Agenda, and approved the following:

A. **MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE**

The Committee was in receipt of the minutes of its special meeting held on Tuesday, 1995 April 25th and its regular meeting held on Tuesday, 1995 May 2. The Committee approved these minutes as circulated.

B. **CITY CLERK**

(i) Use of the Second Floor Foyer - United Way of Burlington, Hamilton-Wentworth "United Way Biennial", Thursday, 1995 June 8

The Committee was in receipt of a report from the City Clerk dated 1995 April 27th respecting the above-noted matter. The Committee approved the following:

(a) That approval be given to the United Way of Burlington, Hamilton-Wentworth to use the Second Floor Foyer on Thursday, 1995 June 8 between the hours of 7:00 o'clock p.m. to 10:30 o'clock p.m. for a cocktail reception in honour of the United Way Centraide Canada Leadership Conference; and,

(b) That the City Clerk be granted authority to approve similar use in future years, provided it does not interfere with any other activity.

(ii) "Raise the Flag Day" - Friday, 1995 May 12 - Request to sell hot dogs

The Committee was in receipt of a report from the City Clerk dated 1995 May 5 respecting the above-noted matter. The Committee approved the following:

That approval be given to the actions taken by the City Clerk in authorizing The Kinsmen Club of Hamilton to sell hot dogs and pop on Friday 1995 May 12 in conjunction with "Raise the Flag Day" celebrations.

(iii) Request to display sign promoting The Canadian Club of Hamilton

The Committee was in receipt of a report from the City Clerk dated 1995 May 10 respecting the above noted matter. The Committee approved the following:

That approval be given to The Canadian Club of Hamilton to use the Second Floor Foyer (West End) for a display promoting The Canadian Club from Thursday, 1995 June 1 until Monday 1995 July 31.

(iv) Request for the use of City Hall facilities - "Sustainable Community Display" - Second Floor Foyer

The Committee was in receipt of a report from the City Clerk dated 1995 May 10 respecting the above-noted matter. The Committee approved the following:

That approval be given to the Hamilton Advisory Committee for the G7 Environment Ministers Summit to exhibit a "Sustainable Community Display" on the Second Floor Foyer from Friday 1995 June 16 until Friday 1995 June 30.

(v) A.M.O. Conference - 1995 August 20 - 23, Toronto

The Committee was in receipt of a report from the City Clerk dated 1995 May 12 respecting the above-noted matter. The Committee approved the following:

That the Mayor, Chairman of the Finance and Administration Committee, and five (5) Aldermen be authorized to attend the 1995 Annual Conference of the Association of Municipalities of Ontario being held 1995 August 20 - 23 in Toronto, Ontario.

(vi) Use of the Second Floor Foyer - Access Awareness Week - Display and Obstacle Course

The Committee was in receipt of a report from the City Clerk dated 1995 May 17th respecting the above-noted matter.

The Committee approved the following:

(a) That approval be given to the action taken by the City Clerk in authorizing the Regional Advisory Committee for Persons with Physical Disabilities to use the Second Floor Foyer (west end) on Tuesday, 1995 May 23 and Wednesday, 1995 May 24 between the hours of 8:30 o'clock a.m. until 5:00 o'clock p.m. for a display and obstacle course to kick off "Access Awareness Week"; and,

(b) That the City Clerk be granted authority to approve similar use in future years, provided it does not interfere with any other activity.

(vii) Use of the City Hall Council Chambers - Traffic Department - Thursday, 1995 June 15

The Committee was in receipt of a report from the City Clerk dated 1995 May 11 respecting the above-noted matter.

The Committee approved the following:

(a) That approval be given to the City of Hamilton Traffic Department to use the Council Chambers on Thursday, 1995 June 15 between the hours of 7:00 o'clock p.m. and 9:30 o'clock p.m. for the Annual Awards Presentation to the School Crossing Guards; and,

(b) That approval be given to the Traffic Department to use the Second Floor Foyer for a reception immediately following the ceremony; and,

(c) That the City Clerk be granted authority to approve similar use in future years, provided it does not interfere with any other activity.

C. **TREASURER**

(i) Appointment of External Auditors for 1995

The Committee was in receipt of a report from the Treasurer dated 1995 May 15th respecting the above-noted matter.

The Committee approved the following:

(a) That the firm of MacGillivray Partners, Chartered Accountants be continued as municipal auditor for the City of Hamilton, including its Local Boards, Hamilton Entertainment and Convention Facilities Inc., Hamilton Hydro Electric System and all of the Boards of Management for the Business Improvement Areas within the City of Hamilton for the year 1995 at a fee of $99,000 including completion of the audit of the City's Financial Report.

(b) That the by-law respecting "To Appoint An External Auditor" be approved by City Council.

(ii) Authorization to Enter into Extension Agreements on specific properties for the payment of Realty Tax Arrears

The Committee was in receipt of a report from the Treasurer dated 1995 May 16 respecting the above-noted matter.

The Committee approved the following:

(a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

33 Biggar	129 Birge
172 Sanford S	6 Olmstead
12 Ray S	48 Haddon N
843 King E	215 Nappier
71 Horning	171 Herkimer
124 Walnut S	55 Mary
147 Elgin	

(b) That the by-law to authorize the said Extension Agreements be enacted by City Council; and,

(c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.

(iii) Funding - Construction of Independent Concrete Sidewalks on both sides of Rymal Road from Upper James Street to Springsdale Drive

The Committee was in receipt of a report from the Treasurer dated 1995 May 11 respecting the above-noted matter.

The Committee approved the following:

That the City Solicitor be authorized to prepare an appropriate By-Law to construct an independent concrete sidewalk on the south side of Rymal Road from Upper James Street to Springside Drive and on the north side of Rymal Road from Upper James Street to

approximately 226 m easterly under the Local Improvement Act at an estimated cost of $102,500. with the City's share of $25,820.30 to be financed from the 1995 Capital Levy (Account Centre No. CH 22002) and the balance of $76,679.70 being the owner's share to be financed by the issuance of debentures for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of $76,679.70 for a term not to exceed 20 years for the above project.

(iv) Funding - Walkway linkage connecting Pier 4 Park to Harbourfront Park

The Committee was in receipt of a report from the Treasurer dated 1995 May 18 respecting the above-noted matter.

The Committee approved the following:

That the upset cost limit of $18,100. estimated to be the cost of electronic push button security access to the dock and washroom areas at Scott-Macdonald Marine as part of the lease relating to the walkway linkage connecting Pier 4 and Harbourfront Parks be financed in part from the lease revenue of $14,400 and the balance of the upset limit totalling $3,700. as an overdraft of the Civic Properties Rented Centre #CH 31106.

D. DIRECTOR OF PROPERTY

(i) Award of Contract - Security Guard Services - City Hall

The Committee was in receipt of a report from the Treasurer dated 1995 May 18 respecting the above noted matter.

The Committee approved the following:

That approval be given to issue a Purchase Order to Burns International Security Services Limited of Hamilton, Ontario for security guard services at Hamilton City Hall for 1995, 1996, and 1997 in the amount $9.70, $9.86 and $10.04 per hour respectively, and at the City's option, to extend these services by two additional terms of three years each at a price to be negotiated, this being the lowest tender received in accordance with the specifications issued by the Manager of Purchasing, 1995 March 30, Ref. C19-12-95.

(ii) Central Fire Station Roof Replacement

The Committee was in receipt of a report from the Treasurer dated 1995 May 15 respecting the above-noted matter.

The Committee approved the following:

(a) That approval be given to issue a purchase order in the amount of $106,887.65 inclusive of $6,992.65 GST to commission AM Roofing Inc. of Hamilton for the replacement of the roof at Central Fire Hall being the lowest of seven quotes received in accordance with the specifications issued by the Manager of Purchasing; and,

(b) That the Mayor and City Clerk be authorized to execute a contract in a form satisfactory to the City Solicitor.

E. **COMMISSIONER OF HUMAN RESOURCES - Appointments to and Terminations from Permanent Positions with the Corporation of the City of Hamilton**

The Committee was in receipt of a report from the Commissioner of Human Resources dated 1995 May 10 respecting the above-noted matter.

The Committee approved the following:

> That the listing of Appointments to and Terminations from permanent positions with the Corporation of the City of Hamilton to 1995 May 12, attached herewith and marked Appendix "A", be approved.

5. **DIRECTOR OF INFORMATION SYSTEMS - 1994 Annual Information Systems Report**

The Committee was in receipt of a report from the Director of Information Systems dated 1995 May 12. Some discussion ensued.

The Committee approved the following:

> That the 1994 Annual Report on the operations of the Information Systems Department be received.

6. **CITY CLERK**

(a) Melanie Carpenter Campaign

The Committee was in receipt of a report from the City Clerk dated 1995 May 10 respecting the above-noted matter. The recommendation of the City Clerk was:

> That consideration be given to the request of local organizers for the Melanie Carpenter Campaign to post a petition respecting dangerous offenders, in the first floor lobby of City Hall for signing by the citizens of Hamilton.

General discussion then ensued on this matter, and the precedence any decision on this matter would set for future requests.

In this regard, the Committee approved the following:

> That the local organizers for the Melanie Carpenter Campaign be permitted to post a petition respecting dangerous offenders, in the first floor lobby of City Hall for signing by the citizens of Hamilton for a one month period with the understanding that a policy on the posting of petitions in City buildings is being drafted for Committee and Council consideration.

(b) Amendments to Procedural By-law No. 82-203

The Committee was in receipt of a report from the City Clerk dated 1995 May 17 respecting the above-noted matter.

The Acting City Clerk, S. Hollowell, responded to questions from the Committee on the proposed amendments.

The Committee then agreed to table this matter to the next meeting of the Committee for members of Council to have a longer opportunity to review and discuss the proposed amendments.

10.(b) **DIRECTOR OF PROPERTY - City Hall Roof Replacement**

The Committee was in receipt of a report from the Director of Property dated 1995 May 15 respecting the above-noted matter.

The Committee approved the following:

(a) That a purchase order be issued to Bertozzi Roofing and Sheet Metal Inc. of Hamilton in the amount of $299,826. plus GST for the re-roofing of a portion of the City Hall roof being the lowest of seven tenders received in accordance with specifications (Ref: C-14-6-95) issued by the Manager of Purchasing; and,

(b) That the Mayor and City Clerk be authorized to execute a contract in a form satisfactory to the City Solicitor.

10.(c) **DIRECTOR OF PROPERTY - Service Agreements - Honeywell/Beaver Limited**

The Committee was in receipt of a report from the Director of Property dated 1995 May 12 respecting the above-noted matter.

The Committee approved the following:

That approval be given to issue a purchase order in the amount of $301,909. plus G.S.T. to Honeywell/Beaver Limited of Hamilton for the maintenance of the Building Automation/Temperature Control Systems in the following buildings from 1995 April 1 to 1995 December 31 (1995 January 1 to 1995 December 31 for Copps Coliseum) while staff develop specifications for the purpose of re-tendering this service:

TEMPERATURE CONTROL/BUILDING AUTOMATION

LOCATION	FEE - 1995 APRIL 15 to 1995 DECEMBER 31
City Hall	$21,585.
Market/Library	$25,797.
CUP/Parking Garage	$53,844.
Convention Centre	$34,488.
Chedoke Twin Pad	$13,650.
Hamilton Place	$14,235.
Copps Coliseum	**$131,740. (1995 January 1 - 1995 December 31)**

AIR CONDITIONING EQUIPMENT

Macassa Fire Station	$ 3,212.
Chedoke Twin Pad	$ 3,358.
	$301,909.

10.(d) **DIRECTOR OF PROPERTY - Award of Contract - Copps Coliseum Heating System - Steam to Hot Water Conversion**

The Committee was in receipt of a report from the Director of Property dated 1995 May 9 respecting the above-noted matter.

The Committee approved the following:

(a) That approval be given to issue a Purchase Order to Superior Boiler Works & Welding Limited of Hamilton, Ontario in the amount of $281,795.20 inclusive of G.S.T. ($18,435.20) to supply and install the necessary labour & materials to

complete the Steam to Hot Water Conversion of the heating system at Copps Coliseum, this being the lowest tender received in accordance with the specifications issued by the Manager of Purchasing, 1995 March 10 (Ref: C14-2-95); and

(b) That authorization be given to the Director of Property to fund the $281,795.20 from the following accounts:

ACCOUNT	ACCOUNT NAME	AMOUNT
CF319441013	Copps Coliseum - Steam to Hot Water Conversion	$205,000.
CF319251004	C.U.P. - Various Capital Replacements/Revisions	$ 482.78
CF319351006	C.U.P. - Various Capital Replacements/Revisions	$ 1,181.74
CF319451019	C.U.P. - Various Capital Replacements/Revisions	$ 30,538.14
CF319541002	C.U.P. - Various Capital Replacements/Revisions	$ 44,592.54
TOTAL		$281,795.20

(c) That the Mayor and City Clerk be authorized to execute a contract in a form satisfactory to the City Solicitor.

11. **CHIEF ADMINISTRATIVE OFFICER AND COMMISSIONER OF HUMAN RESOURCES - Code of Conduct**

The Committee was in receipt of a joint report from the Chief Administrative Officer and the Commissioner of Human Resources dated 1995 May 11 respecting the above-noted matter.

The Committee approved the following:

That a Code of Conduct for employees of the Corporation of the City of Hamilton, attached herewith and marked Appendix "B", be approved.

EE. **SINGLE TIER ADMINISTRATIVE REVIEW STEERING COMMITTEE - Implementation of Amalgamated Finance and Treasury Departments**

The Committee was in receipt of a report from the Secretary of the Single Tier Administrative Review Steering Committee dated 1995 May 17 respecting the above-noted matter.

Some discussion ensued, and the Committee approved the following:

(a) (i) That the Chief Administrative Officers for the City of Hamilton and the Region of Hamilton-Wentworth be requested to develop appropriate Terms of Reference to establish levels of service and standards of service for the Financial Transaction Service Provider; and,

(ii) That the firm of Price-Waterhouse be engaged at a cost not to exceed $25,000. to assist the Chief Administrative Officers in developing and evaluating the Terms of Reference; and,

(iii) That the cost of retaining the services of Price-Waterhouse be equally shared between the City of Hamilton and the Region of Hamilton-Wentworth; and,

(iv) That the Terms of Reference form the basis of a contract between the City of Hamilton and the Region of Hamilton-Wentworth for the provision of the Financial Transaction services; and,

(b) (i) That the City of Hamilton offer to provide financial transaction services to the Region of Hamilton-Wentworth; and,

(ii) That the Region of Hamilton-Wentworth be requested to update the details of their information and provide the levels and the service requirements for the City of Hamilton to provide a proposal on providing this service; and,

(iii) That the Chief Administrative Officers, with the assistance of Price-Waterhouse, report back to the Single Tier Administrative Review Steering Committee in eight (8) weeks time including the provision of bench mark analysis for the financial functions provided by other municipalities.

ADDED - CITY CLERK - Proposed Bingo Hall - Town of Grimsby

The Committee was in receipt of an added report from the City Clerk dated 1995 May 23 respecting the above-noted matter.

The Committee approved the following:

That the City Clerk inform the Director, Gaming Control Commission that the City of Hamilton has no objection to the proposal to open a Class "A" Bingo Hall in the Town of Grimsby.

13. **OTHER BUSINESS - LASALLE PARK PAVILION**

Alderman Charters spoke to the Committee concerning the recent destruction of the LaSalle Park Pavilion as a result of a fire. In this regard, the Committee approved the following:

That the City of Hamilton approve a request from the City of Burlington to reconstruct the LaSalle Park Pavilion in accordance with the lease agreement dated 1993 December 1, provided that all costs of the reconstruction be the sole responsibility of the City of Burlington.

13. **OTHER BUSINESS - Move of CN Rail Lines**

Further to the issue of the LaSalle Park Pavilion, Alderman Charters also addressed the Committee regarding discussions between the City of Hamilton and the City of Burlington about moving the rail yard from the west Hamilton harbourfront to CN property northeast of the Aldershot GO train station.

In this regard, the Committee agreed that staff be directed to arrange a meeting with Burlington staff to discuss the possible move of the CN Railyard.

14. **ADJOURNMENT**

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder

Susan K. Reeder
Secretary
1995 May 23

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Ms. Sheila Costanza	I	Junior Payroll Clerk (10F)	Treasury	Replacing Ms. C. Alkema - promoted Jan. 30/95	$29,602.04 to $32,175.52	April 24/95
Ms. Sandy Gruba	I	Entertainment Assistant (11)	H.E.C.F.I.	Replacing Ms. A. Nicholson - promoted, April 03/95	$31,563.48 to $34,574.28	April 03/95
Mr. Edwin Zvirbulis	I	Catch Basin Equipment Operator (D15)	Public Works	Replacing Mr. C. Manning - promoted, Jan. 16/95	$36,416.64	April 17/95

Prepared May 12, 1995

Status

Internal - I
External - E

Appendix "A" referred to in Section 24 of the FIFTEENTH Report of the Finance and Administration Committee for 1995.

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Murray Main	Director Traffic Services	Traffic	Retired (Early)	33 years, 7 months	April 28/95
Mr. James McIsaac	Firefighter 1	Fire	Retired (Early)	29 years, 11 months	April 30/95

Prepared May 12, 1995

Glossary of Terms

Terminated - long term disability
- discharge
- downsizing
- redundant

Resigned - personal betterment
- personal reasons

Appendix "B" referred to in Section 29 of the FIFTEENTH Report of the Finance and Administration Committee for 1995.

CODE OF CONDUCT

The City expects every employee to conduct themselves with the highest degree of personal integrity and ethics. No employee should place themselves, or permit themselves to be placed, in a position which would constitute a conflict of interest or breach of trust. Because the City of Hamilton is a municipal corporation, charged with the management of public funds and programs, employees must avoid not only actual conflicts of interest and breaches of trust, but even the appearance of a conflict or breach of trust.

Employees are personally responsible to insure that they do not place themselves in a conflict of interest or breach of trust. As soon as such circumstance arises, or has the potential for arising, the employee must disclose the circumstances to their supervisor. In most cases, prompt and early disclosure will permit the problem to be resolved.

Employees must be aware that permitting themselves to be in a conflict of interest, or breach of trust position, or failure to disclose circumstances with the potential for conflict of interest or breach of trust, will be dealt with seriously by the City. This includes the imposition of discipline on the employee, up to, and including, termination of the employee.

Conflicts of interest, and breaches of trust, may take many forms. It is impossible to list them all. What follows is a list of some of the more obvious examples:

Employees shall not, during the course of their conduct of their employment duties knowingly violate, or permit the violation of, or fail to report the violation of, any federal or provincial statute or regulation, or any City or Regional by-law.

Employees shall not, personally or through companies in which they are involved, bid on City contracts for the supply of goods or services.

Employees shall not, personally or through companies in which they are involved, work on City contracts, for the supply of goods or services, other than in their capacity with the City.

Employees shall not, approve any license, permit, contract, agreement or other document on behalf of the City, for any business in which they are personally involved, or in which their spouse (including common law and same sex), or any relative (including child, parent, foster or adopted parent, grandparent, grandchild, brother or sister, son-in-law, daughter-in-law, brother-in-law or sister in law) is involved.

Employees shall not, accept any gift, benefit, money, discount, favours or other assistance, from any business which has a contract with the City to supply goods or services, unless the gift, benefit, money, discount, favour or assistance is one which, due to the nature of the business, is available to all members of the public.

Employees shall not, accept any gift, benefit, money, discount, favours or other assistance, from any business which requires from the City any license, permit, contract, agreement or other approval in the conduct of its business, unless the gift, benefit, money, discount, favour or assistance is one which, due to the nature of the business, is available to all members of the public.

In accordance with existing City Policies, this does not prohibit employees from receiving promotional "gifts" or "benefits" of nominal value. It is recognized that in the ordinary course of business a company may distribute gifts of nominal value for promotional purposes (for example coffee mugs with the company logo, or letter openers with the product name on them). It is also recognized that in the ordinary course of business dealing with suppliers or contractors it may be appropriate for them to pay for an employee's lunch. Receipt of such a "gift" or "benefit" in the course of business will not be considered to be a breach of these rules.

Employees shall not, personally make any decision to hire, or engage, any spouse or relative for any employment with the City whether temporary, full-time, part-time or seasonal.

Employees shall not, influence or attempt to influence, any other City employee to hire, or engage, any spouse or relative for any employment with the City whether temporary, full-time, part-time or seasonal.

Employees shall not, permit themselves to be placed in supervision over another City employee who is a spouse or relative, without disclosing the nature of the relationship to their supervisor.

Employees shall not, engage in any behaviour or conduct which may be seen to be an attempt to gain, through their position as a City employee, or through their knowledge or contacts gained as a City employee, any personal advantage, advancement, favour, influence, benefit, discount or other interest, for themselves, their spouses their relatives or friends.

Employees shall not, engage in any conduct or business practice which might bring the reputation of the Corporation of the City of Hamilton into ill-repute or damage or diminish the reputation of the Corporation of the City of Hamilton in the eyes of members of the community.

Employees shall not disclose confidential information concerning the property, government, or affairs of the Corporation or use such information to advance his/her interests or the interests of a spouse or relative.

No employee disclosing confidential information concerning the property, government, or affairs of the City shall be in contravention of this Policy if that disclosure concerns wrongdoing on the part of the City, its Council Members, officers, employees, agents, or contractors, and can be shown to have been in the public interest.

Employees who have reason to believe this Code of Conduct has been breached are encouraged to bring their concerns to the attention of the Chief Administrative Officer. No adverse action shall be taken against any employee, who, acting in good faith brings forward such information.

Caution is always the best guide to behaviour in this area. Employees are encouraged to discuss any circumstance about which they have the least doubts with their supervisor or department head.

Tuesday, 1995 May 30
7:00 o'clock p.m.
Room 233, City Hall

A Special meeting of the Finance and Administration Committee was held.

There were present:
Alderman B. Charters, Chairman
Alderman D. Ross, Vice-Chairman
Mayor Robert M. Morrow
Alderman D. Drury
Alderman T. Anderson
Alderman D. Wilson
Alderman M. Kiss
Alderman D. Agostino
Alderman V. Agro

A. (ii)

Also present:
Alderman B. Morelli
Alderman M. Caplan
Alderman F. D'Amico
Alderman W. McCulloch
J. Pavelka, Chief Administrative Officer
A. Ross, Treasurer
P. Noé Johnson, City Solicitor
J. J. Schatz, City Clerk
M. Watson, Real Estate
D. Lobo, Director of Public Works
D. Farquhar, Public Works
C. Firth-Eagland, Public Works
Susan K. Reeder, Secretary

A G E N D A

1. **MAYOR MORROW - HOSTING OF CIVIC EVENTS IN CONJUNCTION WITH THE UNVEILING AND DEDICATION CEREMONY OF THE INUIT MEMORIAL**

The Committee was in receipt of a report from the Mayor dated 1995 May 25th respecting the above-noted matter.

The Committee approved the following:

(a) That an amount of $5,000. be approved for the hosting of a number of events on 1995 June 10th and 11th for a delegation of 40 Inuit from the Northwest Territories, plus government officials and sponsors of the Innuit Memorial in conjunction with the unveiling and dedication ceremony of the Inuit Memorial; and,

(b) That this amount be charged to Account No. CH 54314 84010 - Delegate Hostings.

2. **DIRECTOR OF PUBLIC WORKS - AWARDING OF STREET VENDOR CONTRACTS**

The Committee was in receipt of a report dated 1995 May 30 respecting the above-noted matter.

The Committee discussed this matter, and directed that letters be sent to all of the bidders indicated that no proposals have been received for 8 of the locations.

The Committee then approved the following:

That the Street Vendor locations be awarded for the period commencing June 1995 to the end of December 1998, to the successful proponents, one cart per location, as listed in Appendix 'A' attached, subject to confirmation of the following:

(a) The products offered for sale are approved by the Hamilton-Wentworth Regional Health Department.

(b) The submitted bids remain unchanged following the review by the Health Department.

(c) The proponents enter into a legal agreement satisfactory to the City.

(d) The City Solicitor be authorized to execute the agreements.

3. **APPOINTMENT OF SUB-COMMITTEES - SAFE CITY SUB-COMMITTEE AND HAMILTON STATUS OF WOMEN SUB-COMMITTEE**

The Committee was in receipt of a memorandum from the Selection Committee dated 1995 May 30th advising the following with respect to the applications received to serve on the Safe City Sub-Committee and the Hamilton Status of Women Sub-Committee:

Hamilton Status of Women Sub-Committee

This Sub-Committee is composed of 15 citizen members. Nine people have applied to serve on this Sub-Committee. Of these nine, four are current members, four have applied to serve on other committees, and one person applied exclusively to serve on the Sub-Committee.

Safe City Sub-Committee

This is a new Sub-Committee, comprised of no less than 20 members and no more than 25. Eight applications have been received. Of these eight, seven have applied to serve on other committees and one application was received late.

Considerable discussion ensued on these situations.

Hamilton Status of Women Sub-Committee

With respect to the Hamilton Status of Women Sub-Committee, the Committee approved the following:

(a) That the interviewing for the appointment of members to the Hamilton Status of Women Sub-Committee be tabled for one month; and,

(b) That the City Clerk re-advertise to request applications and allow a one month opportunity for applications to be submitted; and,

(c) That following the closing date for applications to be submitted that the City Clerk report back to the Finance and Administration Committee on the number of applications received.

Safe City Sub-Committee

With respect to the Safe City Sub-Committee, a similar recommendation as noted above was moved and seconded. **Motion LOST.**

The Committee then approved the following:

That the Safe City Sub-Committee not be established.

Note: Alderman Kiss and Alderman Agostino opposed.

Keep Hamilton Clean Committee and New Mum Show Sub-Committee

With respect to the Keep Hamilton Clean Committee, it was agreed that the interviewing and selecting of members for this Committee should be decided upon by the Director of Public Works, as this is now a resource group to the Public Works Department to undertake the functions contained in its mandate.

With respect to the New Mum Show Sub-Committee, it was indicated that the interviewing and selecting of members for this Sub-Committee will be recommended to Council on May 30th to be done by the Chairman of the Parks and Recreation Committee and one other member of City Council.

4. **ADJOURNMENT**

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder.

Susan K. Reeder
Secretary
1995 May 30

B. (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 8 June 1995

REPORT TO: Susan K. Reeder, Secretary
Finance & Administration Committee

FROM: J.J. Schatz
City Clerk

SUBJECT: **Request for the Use of the City Hall Forecourt
Sunday, 1995 August 27 - 1995 National Cycling Championships**

RECOMMENDATION:

(a) That approval be given to the organizers for the 1995 National Road Cycling Championships to use the City Hall Forecourt on Sunday, 1995 August 27, between the hours of 1:00 o'clock p.m. to 5:00 o'clock p.m., for the start and finish of the 1995 National Cycling Championships; and,

(b) That the City Clerk be granted authority to approve similar use in future years, provided it does not interfere with any other activity.

D. E. Wellwood for
J.J. Schatz

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in Account CH55222-10034 - Use of City Facilities by Outside Groups in the approximate amount of $120. for Property & Maintenance staff overtime associated with the event on Sunday, 1995 August 27.

BACKGROUND:

The organizers for the 1995 Canadian National Road Cycling Championships have requested the use of the City Hall Forecourt on Sunday, 1995 August 27 between the hours of 1:00 o'clock p.m. and 5:00 o'clock p.m., for the senior men and women's road race. The location of the start/finish lines for this race are directly in front of City Hall and use of the City Hall Forecourt will enable the organizers to set up for this event.

cc: Mayor's Office
R. Swan, Manager of Building Operations & Maintenance Division
Information Desk

B. (ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 2 June 1995

REPORT TO: Susan K. Reeder
Secretary, Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: **Appointment - Bingo Hall Review Committee**

RECOMMENDATION:

That Aldermen D. Wilson, D. Drury and F. Eisenberger be appointed members of the Bingo Hall Review Committee, to review and consider applications for the establishment of new bingo halls and the upgrading or relocating of existing bingo halls in the City of Hamilton, pursuant to the Provincial Criteria and Procedures for Bingo Halls.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Staff time will be involved in processing of any applications pursuant to the Provincial requirements.

BACKGROUND:

This recommendation is made pursuant to the requirements set out in the Criteria and Procedures for Bingo Halls, established by the Ontario Gaming Control Commission.

Part of this process requires the approval of the local municipal council. Members of the Committee will recall that in July of 1994 a similar committee was set up for the purposes of reviewing and considering all applications for the establishment of new bingo halls and the upgrading or relocating of existing bingo halls in the City of Hamilton.

An application has been received from Bingo Country to relocate its bingo hall at 690 Main Street West to a site on the east side of Frid Street, across from the Spectator building.

c.c. Alderman D. Wilson

B. (000 111)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 18 May 1995

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J.J. Schatz
City Clerk

SUBJECT: **Croatia Day Committee - Request to Fly Flag Tuesday 1995 May 30**

RECOMMENDATION:

That approval be given to the Croatia Day Committee to fly the Croatian Flag at City Hall on Tuesday, 1995 May 30.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

A request has been received from the Croatia Day Committee to fly the Croatian flag at City Hall on Tuesday, 1995 May 30 in commemoration of the fifth anniversary of Croatia's independence.

cc: Mayor's Office
R. Swan, Manager of Building Operations & Maintenance
Information Desk

B. (iv)

JUN 12 1995

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 9 June 1995

REPORT TO: Susan K. Reeder, Secretary
Finance & Administration Committee

FROM: J.J. Schatz
City Clerk

SUBJECT: **Request for the Use of the City Hall Forecourt**
The Bahá'i Community of Hamilton

RECOMMENDATION:

(a) That approval be given to The Bahá'i Community of Hamilton to use the City Hall Forecourt from Monday, 1995 July 17 until Sunday, 1995 July 23 between the hours of 8:30 o'clock a.m. until 4:30 o'clock p.m., for a display and serving of refreshments; and,

(b) That the City Clerk be granted authority to approve similar use in future years, provided it does not interfere with any other activity.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The Bahá'i Community of Hamilton have requested the use of the City Hall Forecourt from Monday, 1995 July 17 until Sunday, 1995 July 23rd between the hours of 8:30 o'clock a.m until 4:30 o'clock p.m., to set up booths for displays and refreshments in conjunction with their celebration: "The earth is but one country and mankind its citizens". A banner depicting the quote will be hung across Main Street during this period.

cc: Mayor's Office
R. Swan, Manager of Building Operations & Maintenance Division
Information Desk

B. (v)

CITY OF HAMILTON

- RECOMMENDATION -

JUN 12 1995

DATE: 9 June 1995

REPORT TO: Susan K. Reeder, Secretary
Finance & Administration Committee

FROM: J.J. Schatz
City Clerk

SUBJECT: **Request for the Use of the City Hall Forecourt North Hamilton Community Health Centre -**

RECOMMENDATION:

(a) That approval be given to the North Hamilton Community Health Centre for the use of the City Hall Forecourt on either Friday, 1995 September 29 or Monday, 1995 October 2, between the hours of 8:00 o'clock a.m. until 4:00 o'clock p.m., to set up booths for the launching of Community Health Week; and,

(b) That the City Clerk be granted authority to approve similar use in future years, provided it does not interfere with any other activity.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The North Hamilton Community Health Centre will be celebrating Health Week, 1995 with a proclamation and "kick off". The Health Centre has requested the use of the City Hall Forecourt on either Friday, 1995 September 29 or Monday, 1995 October 2 (date to be confirmed), between the hours of 8:00 o'clock a.m. until 4:00 o'clock p.m., to set up information booths on "The Determinants of Health", which include poverty, education, isolation and employment.

cc: Mayor's Office
R. Swan, Manager of Building Operations & Maintenance Division
Information Desk

C. (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 June 1

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Authorization to enter into extension agreements on specific properties for the payment of realty tax arrears

RECOMMENDATION:

1) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on June 28, 1994:

14 Dalkeith	19 John South
118 Jackson East	802 Cannon East
262 Wellington North	1394 King East
247 Gibson	74 Wentworth South
26 Glenburn	

2) That the attached by-law to authorize the said Extension Agreements be enacted by Council.

3) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The execution of the by-law and agreements, where required, will defer the City's right to sell the lands for tax arrears for a maximum period of 24 months; however, the City will be in receipt of regular monthly payments towards current and prior years arrears over the term of the agreements.

BACKGROUND:

Section 8 of the Municipal Tax Sales Act provides that the municipality, by a by-law passed after the registration of the tax arrears certificate and before the expiry of the one-year period for redemption, may authorize an extension agreement with the owner of the land extending the period in which the cancellation price is to be paid. On June 28, 1994, in accordance with this legislation, Council approved a policy authorizing the City to enter into extension agreements with taxpayers providing certain conditions were met.

The owner of a property which has been registered for tax arrears may request the City to consider an extension agreement at any time up to and including the final day on which the redemption period expires. Administratively, there may not be sufficient time to obtain the necessary Council approval of the by-law prior to this deadline. Accordingly, staff are requesting advance authorization for the City to enter into extension agreements, if necessary, with the owners of the above specific properties providing they meet the conditions outlined in the policy adopted by Council on June 28, 1994.

In certain instances when all of the conditions in the extension agreement policy are not met the Treasurer should be allowed the latitude to recommend an extension agreement be entered into if it is deemed to be in the best financial interest of the municipality. Under these circumstances a separate report would be provided to the Committee for deliberation and approval.

During the initial months of this repayment option it has been ascertained that operational time constraints, e.g. writing of reports, council approvals, make it necessary to have the authorization to enter into these extension agreements pre-approved. Accordingly, in the month that the legislated final notices for the tax registration process are mailed out (280 days from the registration date), a listing of all those properties for which the owners may wish to enter into an extension agreement will be forwarded to Committee and Council for approval. Owners who show an interest in entering into an extension agreement with the City prior to the mailing of the final notices, will be added to the monthly reports as required.

/TAB

SCHEDULE "A"
EXTENSION AGREEMENTS

A)	PROPERTY ADDRESS	14 Dalkeith
	SERIAL NUMBER	04 02850 4780
	BRIEF LEGAL DESCRIPTION	PLAN 562 PT LOT 122
	DATE OF REGISTRATION	16 SEPT 94
	INST # OF TAX ARREARS CERTIFICATE	VM194094
	REDEMPTION DATE	16 SEPT 95
	TOTAL ARREARS	$9,951.26
B)	PROPERTY ADDRESS	19 JOHN ST SOUTH
	SERIAL NUMBER	02 01510 6340
	BRIEF LEGAL DESCRIPTION	PT LOT 25 LOT 26
	DATE OF REGISTRATION	02 SEPT 94
	INST # OF TAX ARREARS CERTIFICATE	VM194149
	REDEMPTION DATE	02 SEPT 95
	TOTAL ARREARS	$97,763.21
C)	PROPERTY ADDRESS	118 JACKSON ST E
	SERIAL NUMBER	02 01445 2610
	BRIEF LEGAL DESCRIPTION	PLAN 1431 PT LOT 50
	DATE OF REGISTRATION	02 SEPT 94
	INST # OF TAX ARREARS CERTIFICATE	VM193148
	REDEMPTION DATE	02 SEPT 95
	TOTAL ARREARS	$45,467.10
D)	PROPERTY ADDRESS	802 CANNON ST E
	SERIAL NUMBER	03 02640 1270
	BRIEF LEGAL DESCRIPTION	PLAN 477 PT LOT 88
	DATE OF REGISTRATION	16 SEPT 94
	INST # OF TAX ARREARS CERTIFICATE	VM194093
	REDEMPTION DATE	16 SEPT 95
	TOTAL ARREARS	$7,781.00
E)	PROPERTY ADDRESS	262 WELLINGTON ST N
	SERIAL NUMBER	03 02155 0280
	BRIEF LEGAL DESCRIPTION	PLAN 286 PT LOT 13
	DATE OF REGISTRATION	14 SEPT 94
	INST # OF TAX ARREARS CERTIFICATE	VM193761
	REDEMPTION DATE	14 SEPT 95
	TOTAL ARREARS	$10,598.29
F)	PROPERTY ADDRESS	1394 KING ST E
	SERIAL NUMBER	04 02930 6070
	BRIEF LEGAL DESCRIPTION	PLAN 548 PT LOT 91 & 92
	DATE OF REGISTRATION	14 SEPT 94
	INST # OF TAX ARREARS CERTIFICATE	VM193765
	REDEMPTION DATE	14 SEPT 95
	TOTAL ARREARS	$45,306.76
G)	PROPERTY ADDRESS	247 GIBSON AVE
	SERIAL NUMBER	03 02350 2200
	BRIEF LEGAL DESCRIPTION	PLAN 245 PT LOT 77
	DATE OF REGISTRATION	16 SEPT 94
	INST # OF TAX ARREARS CERTIFICATE	VM194090
	REDEMPTION DATE	16 SEPT 95
	TOTAL ARREARS	$8,187.39
H)	PROPERTY ADDRESS	74 WENTWORTH ST S
	SERIAL NUMBER	03 02070 6530
	BRIEF LEGAL DESCRIPTION	REG COMP PLAN 1360 LOT 88
	DATE OF REGISTRATION	22 SEPT 94
	INST # OF TAX ARREARS CERTIFICATE	VM194465
	REDEMPTION DATE	22 SEPT 95
	TOTAL ARREARS	$13,468.75
I)	PROPERTY ADDRESS	26 GLENBURN CRT
	SERIAL NUMBER	05 04630 3418
	BRIEF LEGAL DESCRIPTION	WENTWORTH CONDO PLAN 13 LEVEL 1 UNIT 17
	DATE OF REGISTRATION	22 SEPT 94
	INST # OF TAX ARREARS CERTIFICATE	LT371560
	REDEMPTION DATE	22 SEPT 95
	TOTAL ARREARS	$6,280.48

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.95-

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW. THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

   (b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.

2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this day of 1995, A.D.,

CITY CLERK **MAYOR**

C. (ii)

CITY OF HAMILTON

- RECOMMENDATION -

JUN 14 1995

DATE: 1995 May 23

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Supply and Delivery of Gasoline and Diesel Fuel as and when required to June 30, 1998, Various Locations

RECOMMENDATION:
That purchase orders be issued for the supply and delivery of Gasoline and Diesel Fuels to various City Departments as and when required to June 30, 1998, in accordance with specifications issued by the Manager of Purchasing, Public Transport/HSR and Vendors' tenders, and be financed through various approved accounts, as follows:

Esso Imperial Oil, Willowdale		
Diesel #2 Regular and #1 Premium		- $0.4040 per litre
Shell Canada, North York		
Gasoline	- Unleaded	- $0.4958 per litre
	- Premium	- $0.5513 per litre

Allan C. Ross

FINANCIAL/STAFFING/LEGAL/PURCHASING IMPLICATIONS:
N/A

BACKGROUND:
This was a cooperative tender that included eight various agencies including the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.

The tenders accepted are for Market Pricing which gives us a firm price for thirty days, with fifteen days notice of a price increase.

Estimated expenditure for next twelve months is approximately $320,000 for gasoline and $490,000 for diesel fuel.

Tender Analysis	Unleaded		Diesel		Pricing Method
	Regular	Premium	Regular	Premium	
Esso Imperial	.5210	.5610	.4040	.4040	Market Price
Petro Canada	.5200	.5650	.4217	.4068	Market Price
Shell Canada	.4958	.5513	.4058	.4066	Market Price

Applicable taxes extra

D.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 June 1

REPORT TO: Mrs. S. Reeder, Secretary
Finance and Administration Committee

FROM: G. Baker
Fire Chief

SUBJECT: Purchase of Fatigue Uniforms, Hamilton Fire Department

RECOMMENDATION:

That a purchase order be issued to Aero Mode Ltd., Montreal and Toronto, to supply and deliver fatigue uniforms as and when required by the Hamilton Fire Department during 1995. This is the lowest of three tenders received in accordance with specifications issued by the Assistant Manager of Purchasing and Vendor's tender. The expenditure is to be financed through Uniforms, Clothing Account No. CH 56104 48001, as follows:

Short Sleeve Shirts (each)	$ 25.00
Trousers (each)	33.00
Uniform Jackets (each)	47.00
All taxes extra	

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds have been provided in this account for the estimated expenditure. This recommendation follows all purchasing policies and is endorsed by Purchasing.

BACKGROUND: Tender Analysis based on estimated usage, all taxes extra.

Aero Mode Ltd.	56,770.00
J. P. Hammill	63,122.70
Starfield Safetywear	64,089.90

GB/rj

E.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 June 8

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: John Johnston
Commissioner of Human Resources

SUBJECT: Appointments To and Terminations from Permanent Positions with the Corporation of the City of Hamilton (C-023-095)

RECOMMENDATION:

That the attached listing of Appointments To and Terminations from Permanent positions with the Corporation to 1995 June 9 be approved.

JJ/mb

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Attached.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Mike D'Agata	I	Lead Hand Welder (T3)	Fleet	Replacing Mr. M. Bellehumeur - retired, June 30/94	$48,214.40	May 08/95
Mr. Charles Porter	I	Probationary Communications Operator (N1)	Fire	Replacing Ms. S. McCallum - retired, March 31/95	$36,867.15	May 08/95
Mr. Terry Stephenson	I	Lead Hand/Truck Driver (D17)	Public Works	Replacing Mr. P. Dellerba - terminated Feb. 16/95	$37,146.72	April 07/95

Prepared June 9, 1995

Status

Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Gerald Cuddy	Manager Business Application Systems	Information Systems	Retired (Early)	24 years, 7 months	June 30/95
Mr. Anthony Diligenti	Truck Driver "A"	Public Works	Terminated	17 years	June 25/95
Mr. Carlyle Gates	Firefighter I	Fire	Retired (Early)	30 years	May 05/95
Mr. Herbert Williams	Cemetery Gardener	Public Works	Deceased	23 years, 9 months	April 17/95

Prepared June 9, 1995

Glossary of Terms

Terminated - long term disability
- discharge
- downsizing
- redundant

Resigned - personal betterment
- personal reasons

F.

CITY OF HAMILTON

-RECOMMENDATION-

DATE:

REPORT TO: Alderman B. Charters, Chairman & Members,
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary,
Finance and Administration Committee

SUBJECT: **Information Items**

RECOMMENDATION:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Information Report - Treasurer - Status of Hosting, Receptions and Related Accounts as at 1995 April 30

(b) Information Report - Treasurer - Status of Unclassified Revenue and Expenditures as at 1995 April 30

(c) Information Report - Treasurer - Treasury Department Renovations - dated 1995 June 9

(d) Information Report - Treasurer - Ontario and Quebec Interprovincial Trade Agreement - dated 1995 June 9

(e) Information Report - Fire Chief - 1994 Hamilton Fire Department Annual Report

(f) Correspondence - FCM - Conference information and Travel Savings Plan for FCM Members

Susan K. Reeder

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The above-noted documents have been sent out to members of the Committee and the applicable staff for information purposes, and are being formally presented to the Committee in order to be officially received. Approval of this recommendation to receive these documents will ensure that the circulation procedure followed for these matters is recorded.

URBAN/MUNICIPAL
CA 4 ON HBLA 05
C51 F31
1995

Urban/Municipal Librarian
Hamilton Public Library
2nd Floor

NOTICE OF MEETING

FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, 1995 July 4th
1:30 o'clock p.m.
Room 233, City Hall

Susan K. Reeder

Susan K. Reeder, Secretary
Finance and Administration Committee

AGENDA

A. **DELEGATION**

Owen Boris, City's representative on the Consituent Assembly - status update (no copy)

1.. **DOWNTOWN INCENTIVES COMMITTEE**

Downtown Revitalization - Greater Hamilton Downtown Community Development Corporation

2. **IN CAMERA AGENDA**

3. **CONSENT AGENDA**

4. **TREASURER**

(a) Post Audit Letter - Recommendations and Comments Concerning Accounting Systems, Procedures and Controls for 1994

(b) Information Report - Request for Support for a Private Members' Bill for Relief from Taxes - Art Gallery of Hamilton.

(c) Requested Information Report - Theatre Aquarius - Request for Support for a Private Member's Bill for Relief from Taxes

(d) City purchase from the Hamilton-Wentworth Roman Catholic Separate School Board - 141 Vittorito Avenue - Part 1, 62R-9776 - Proposed St. Agnes Park

5. **TREASURER AND DIRECTOR OF PROPERTY**

Treasury Department - Renovations - Workstations (copy to follow)

6. **DIRECTOR OF PROPERTY**

(a) Development of City owned lands south/east corner of Stone Church Road East and DiCenzo Drive, Hamilton

(b) Tax Arrear Sale - 301 James Street North

(c) Requested Information Report - Request by Hamilton Habitat for Humanity for a City Lot (11 Arthur Avenue South - Tax Sale Property)

7. **REFERRAL BACK FROM CITY COUNCIL**

Award of Contract - Engine/Generator Supplier - Central Utilities Cogeneration Project

8. **CITY CLERK**

(a) Adult Videos in Convenience Stores

(b) Proposed Bingo Hall - Town of Grimsby (previously referred back by City Council for additional information)

9. **OTHER BUSINESS**

10. **ADJOURNMENT**

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 June 28

REPORT TO: Susan Reeder, Secretary
Finance and Administration Committee

FROM: V. J. Abraham, M.C.I.P.
Chairman, Downtown Incentives Committee

SUBJECT: Downtown Revitalization - Greater Hamilton Downtown Community Development Corporation (GHDCDC).

RECOMMENDATION:

1. That the concept of establishing a Greater Hamilton Downtown Community Development Corporation be endorsed; and,

2. That the composition of the Founding Board be as follows:
   a) Mayor Morrow
   b) Regional Chairman Cooke
   c) One Alderman
   d) The Chairman or designate of the Downtown Hamilton B.I.A.
   e) The Chairman or designate of the International Village B.I.A.
   f) The Chairman or designate of the Lloyd D. Jackson Square Merchants' Association
   g) The Chairman or designate of the Central Area Plan Implementation Committee (C.A.P.I.C.)
   h) The Chairman or designate of the ICI Division of the Metropolitan Hamilton Real Estate Board
   i) The Chairman or designate of the Business Development Sub-committee of the Hamilton Chamber of Commerce
   j) The Chairman or designate of the Hotel Association of Hamilton (being established at time of this report)
   k) A representative from a financial institution within the downtown core
   l) One resident of the Ward; and,

3. That a Nominating Committee comprised of representatives from 2 (a) - (j) above, be established to identify candidates for 2 (k) and (l) above;

4. That the founding Board of the GHDCDC be requested to prepare the following:

   a) the Mandate and Objectives of the GHDCDC
   b) the boundaries of the GHDCDC

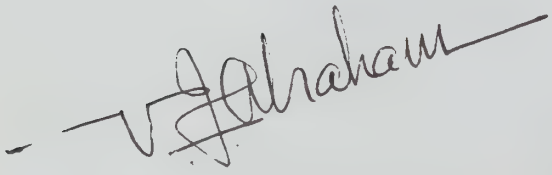
   with a condition that the formal Mandate and Objectives and the boundaries be approved by City and Regional Councils prior to being forwarded to the Province for approval; and,

5. That the founding Board of the GHDCDC be requested to create the following:
   a) a Working Plan (Community Strategic Plan) for the GHDCDC
   b) an Operating Budget for the GHDCDC
   c) a Draft By-law for the GHDCDC
   d) identify the general membership structure for the GHDCDC

   with a condition that the formal Working Plan (Community Strategic Plan), the Operating Budget, Draft By-law and general membership structure be approved by City and Regional Councils prior to being forwarded to the Province for approval; and,

6. That the founding Board discuss potential revenue for the GHDCDC from various public and private sectors prior to submitting the yearly Operating Budget to Council for approval; and,

7. That the Downtown Development Corporation Staff Committee be authorized and directed to work with the founding Board on items 4 and 5 above.



FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

It is anticipated that the Downtown Development Corporation Staff Committee members will provide approximately 10 days (70 hours) each working with the founding Board of the GHDCDC towards creating its Mandate and Objectives, Operating Budget, Working Plan (Community Strategic Plan), Draft By-law and boundaries. The estimated cost of the services amounts to $17,625. City and Regional meeting rooms will also be made available for this purpose.

There is the potential for a co-operative financial contribution towards the GHDCDC's Yearly Operating Budget partnering the City of Hamilton, the Regional Municipality of Hamilton-Wentworth and the private sector. The founding Board of the GHDCDC will be responsible for exploring various revenue sources for the operation of the GHDCDC. One source of generating revenue could be charging a membership fee.

BACKGROUND:

The Greater Hamilton Downtown Community Development Corporation will provide a vehicle that will partner the public and private sectors and will focus 100% of its energy on the revitalization of the downtown core. Presently there are a number of private and public initiatives that are planned and/or being implemented with the impact diluted due to lack of co-ordination and focus. The establishment of an entity specifically for the revitalization of the downtown core will ensure a concerted approach to the revitalization.

The need to establish a downtown development corporation as part of the ongoing initiatives to revitalize the downtown core has been recognized at a number of levels including: The Mayor's Task Force On Downtown Issues and Renewal, the Hamilton-Wentworth Renaissance Project and, the Downtown Hamilton Plan as presented to the Province by Mayor Morrow and Regional Chairman Cooke.

A CDC will establish a formal private-public partnership working together towards a shared vision of creating a downtown core that is thriving and vibrant; provides a comfortable and attractive living and working environment; and, has an expanded and growing economy.

The Finance and Administration Committee at its meeting held 1995 January 24 directed staff from the Building, Law, Planning, Public Works and Treasury Departments to investigate and report back on the establishment of a Community Development Corporation (CDC) as part of the ongoing efforts to revitalize the downtown core.

The Community Economic Development Act provides a legislative framework for communities to establish CDC's and enables municipalities to participate in and contribute financially to CDC's.

CDC's are designed to act as a focal point for a wide variety of efforts designed to stimulate local economies. By mobilizing people's time, talents and resources, CDC's can help forge new partnerships, focus efforts and lead the way to stronger, more self-reliant communities.

CDC's are bound by the same provisions that directs the municipality. However there are alternatives that may open doors to investing in businesses such as Community Investment Share Corporations and Community Loan Funds that are set-up for new and expanding businesses. The regulations for CISC's and CLF's are in the offices of the Law Department should members of Council wish to review same.

City staff and staff from the Economic Development Department have been meeting on an ongoing basis to discuss the CDC concept and, identify the benefit of creating such an entity for revitalization purposes for the downtown core. Meetings have also taken place with staff from the Ministry of Municipal Affairs as well as representatives of the Downtown Hamilton and International Village B.I.A.'s and, Lloyd D. Jackson Square. All groups have voiced their support for the creation of a CDC.

A Greater Hamilton Downtown Community Development Corporation would coordinate all activities in the downtown. With the recent focus within the community on the health of the downtown there has been much attention, discussion, action and proposals on the downtown. A Corporation will give focus to these actions and ideas and ensure that duplication is not occurring and that all entities are implementing the same vision. In addition, the Corporation can act as a clearing house for ideas and debate on the downtown.

The formation of a GHDCDC will demonstrate the City and Region's commitment to the revitalization of the downtown core and result in tangible achievements in this regard.

Suggested mandate and objectives for the Greater Hamilton Downtown Community Development Corporation contained in the attached Schedule "A" are based on previously mentioned documents as well as the results of the CAPIC Downtown Workshops, with emphasis on the principles of the Downtown Hamilton Plan presented to the Province by Mayor Morrow and Regional Chairman Cooke. This will act as a basis for discussion for the Founding Board which should be charged with the establishment of its own mandate and objectives. In addition, suggested boundaries for the GHDCDC are contained in Schedule "B" and should be finalized and established by the Founding Board.

A duplicate report on the establishment of a Greater Hamilton Downtown Community Development Corporation is being forwarded to the Regional Municipality's Economic Development and Planning Committee.

Enclosed as Schedule "C" is a copy of an Information Sheet provided by the Ministry of Municipal Affairs on CDC's.

HM:fd
Encl's

c.c. Len King, Commissioner of Building
Att: Peter Lampman
Patrice Noe Johnson, City Solicitor
Attn: Ron Sabo
Victor Abraham, Director of Planning and Development
Attn: Bill Janssen
Doug Lobo, Director of Public Works

Attn: Hazel Milsome
Alan Ross, City Treasurer
Attn: Kevin Beatty
Nick Catalano, Director of Economic Development
Attn: Scott Galbraith

SCHEDULE 'A'

FOR DISCUSSION PURPOSES

PROPOSED MANDATE AND OBJECTIVES OF THE GREATER HAMILTON DOWNTOWN COMMUNITY DEVELOPMENT CORPORATION

MANDATE:

The Greater Hamilton Downtown Community Development Corporation is a non-profit organization created to establish downtown Hamilton as the economic, cultural, social and institutional centre of the region.

This will be achieved through the co-ordination, development and establishment of a strategic vision and action plan for the downtown; identification of viable initiatives in the downtown; undertake, broker, promote and support public and private actions which implement the initiatives established; and, liaise in activities of all levels of government, special interest groups and agencies, private interests and the public.

GOALS AND OBJECTIVES:

1. Assist with financial relief for businesses. Emphasis will be placed on assisting the owners of existing buildings and businesses currently existing in the downtown and in hardship situations through such measures as:

    - create and administer loan/grant programs for building and business improvement;

    - investigate the feasibility of establishing a Community Investment Share Corporation (CISC) or Community Loan Fund (CLF) for new and expanding businesses;

    - investigate with the Business Advisory Centre the feasibility of establishing a mentoring/training program for businesses within the designated area.

2. Implement marketing programs that address the entire downtown area. Most programs have focused on individual buildings, areas or B.I.A.'s. The Development Corporation will allow for the development and implementation of a comprehensive marketing program for the downtown as a whole. Specific goals include:

- the creation of advertisements and the communication of awareness of downtown events and activities at Copps Colisuem, Hamilton Place, duMaurier Theatre, Trade and Convention Centre, etc.;

- The development of a cluster marketing program and recruitment of retail/ boutique retailers, dining/cafe establishments in the downtown core;

- strengthening and building on existing linkages between the downtown business interests and government in the downtown;

- the development and promotion of a clean, safe and friendly downtown;

- a safe, accessible and free parking program for shopping patrons;

- the promotion of new and existing service oriented businesses in the downtown; and,

- the commitment to changing public perception of the downtown through increased downtown tourism activities and celebration programs.

3. Assist and encourage investment and development in the downtown through actions such as:

   - generate public and private interests in developing and relocation projections/operations in the downtown;

   - promotion of the downtown to those with investment interests;

   - create, encourage and facilitate public/private venture development initiatives;

   - encourage new residential development in the downtown; and,

   - attract new and unique businesses into the downtown.

4. Generate new and expand existing events in the downtown with the aim of maintaining and increasing tourism, conventions and trip destinations into the downtown through actions including:

   - community economic development initiatives;

   - creation and promotion of special theme events;

- co-ordinating the activities of special event programs of the BIA's and Jackson Square; and,

- raising public awareness of downtown business and services.

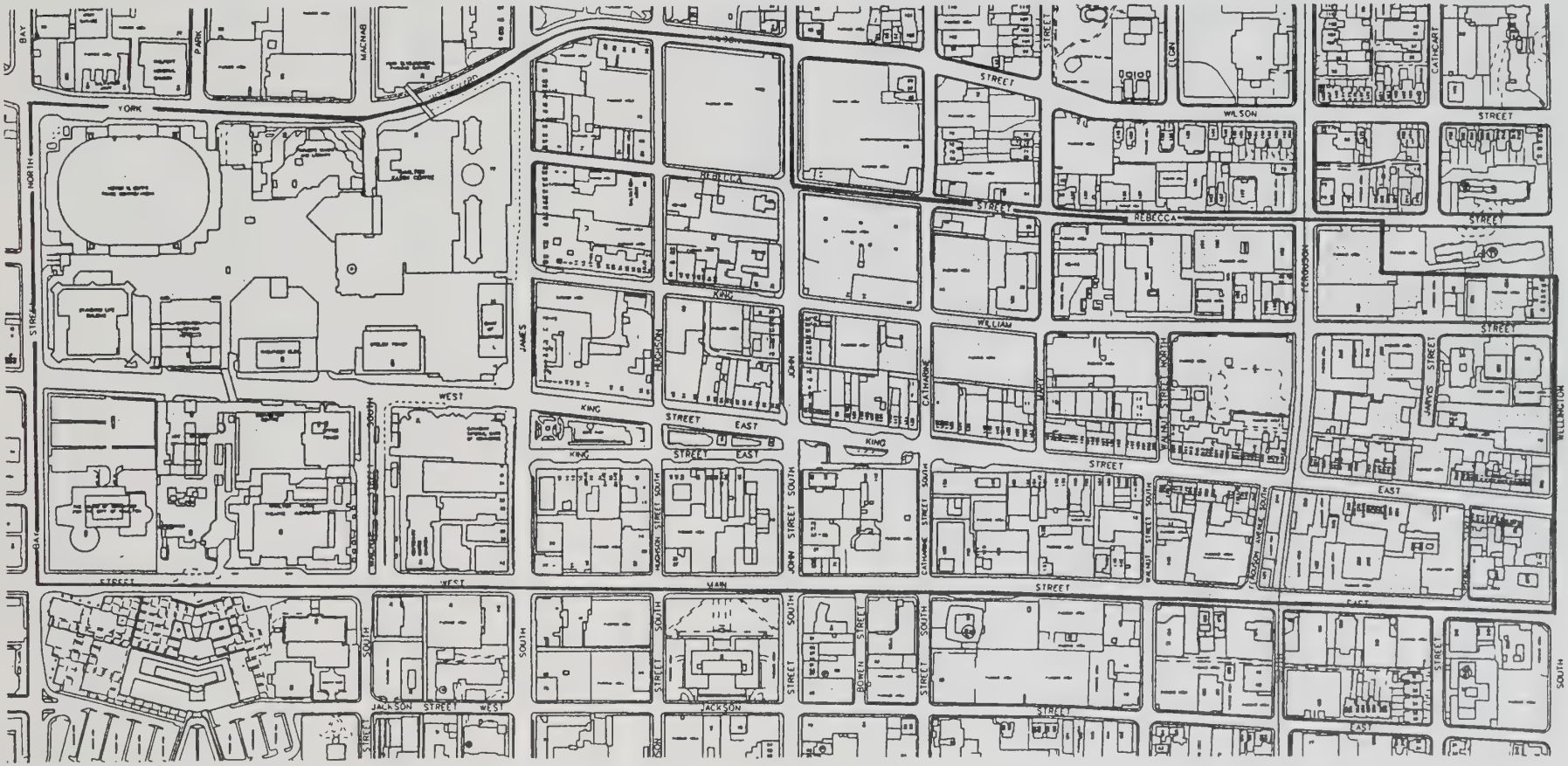
5. Lobbying for special legislation and government responses to problems identified in the downtown. The Corporation can act as a "voice" for downtown by acting on behalf of all interest groups within the downtown rather than leaving every group to address there own concerns.

6. Investigate means of financing initiatives in the downtown core through the public and private sectors.

7. Periodically meet with special interest groups and citizens to gather input into the revitalization efforts.

SCHEDULE 'B'

GREATER HAMILTON DOWNTOWN DEVELOPMENT CORPORATION BOUNDARY



SCHEDULE "C"

COMMUNITY DEVELOPMENT CORPORATIONS

Program Information Sheet

Community Development Branch — Ministry of Municipal Affairs

Across Ontario people want to live in and contribute to prosperous communities where they have the opportunity to work, grow and reach their potential.

To achieve this, communities are searching for ways to take more control over their economic futures. Often they face challenges which are hard to overcome unless members of the community work together to find solutions.

Community-based strategic planning efforts can be the first step to gaining greater control. Strategic planning efforts pull together many members of the community to establish a common vision for the future and to take action to achieve that vision.

Coordinated action and strong local leadership are critical to the success of a community's strategic plan. Community development corporations (CDCs) are one way to focus community efforts in this direction.

What is a CDC?

Community development corporations are not-for-profit organizations, incorporated under the Corporations Act, designed to promote local co-operation and self-reliance using community economic development approaches. Many different people belong to CDCs, including representatives from local government, business, labour, education, and social, ethnic and cultural groups.

Often, a local municipal government takes the lead in forming a CDC. This is because municipalities can help attract private sector participation in community capital projects, they can muster community support for many kinds of community-based development activities and they can provide money and staff necessary to sustain CDC activities.

Other people can also sponsor a CDC, including:

non-profit groups
aboriginal communities
co-ops and
communities of common bond or interest such as women's groups or racial minorities.

What does a CDC do?

Community development corporations are intended to promote broad community priorities by fostering partnerships among many different groups in a community.

The main objectives of a CDC are to:

- Coordinate implementation of a community's strategic plan;
- Promote strong local leadership in the economic and social life of the community;
- Foster and advance economic growth in the community; and
- Ensure community activities are participatory and inclusive.

Potential Roles for A CDC in Your Community

Community development corporations could play a number of different roles in your community. Here are a few of the more common functions that they have performed in other communities:

- Strategic Management
  Includes coordinating implementation of the community's strategic plan; promoting and supporting partnerships among community groups and institutions.

...2/

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3.

CONSENT AGENDA

FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, 1995 July 4th
1:30 o'clock p.m.
Room 233, City Hall

A. **MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE**

Minutes of the regular meeting held on Tuesday, 1995 June 20th

B. **TREASURER**

(i) Authorization to Enter into Extension Agreements on Specific Properties for the the Payment of Realty Tax Arrears

(ii) Funding - Financing the City's Share of a detailed Storm Water Management Report related to Subdivisions

C. **THE PARKING AUTHORITY OF THE CITY OF HAMILTON**

Closing of Completed Capital Projects

D. **BUILDING COMMISSIONER**

Approval to hold a Public Meeting - Development Charges

E. **CITY CLERK**

Request for the use of the second floor foyer (west end) 1995 July 3 to 1995 October 31 - West Harbourfront Development Study - Concept Model

F. **TREASURER**

(i) Supply and Delivery of Workers' Uniform Clothing

(ii) Supply and Delivery of Safety Footwear

G. **DIRECTOR OF PROPERTY**

Kiwanis Boys and Girls Club Re-roofing - Ellis Avenue at Campbell Avenue

H. **SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE**

Information Items

Tuesday, 1995 June 20
1:30 o'clock p.m.
Room 233, City Hall

A.

The Finance and Administration Committee met.

There were present: Alderman B. Charters, Chairman
Alderman D. Ross, Vice-Chairman
Mayor Robert M. Morrow
Alderman D. Drury
Alderman T. Anderson
Alderman D. Wilson
Alderman M. Kiss
Alderman V. Agro

Also present: Alderman F. D'Amico
J. Pavelka, Chief Administrative Officer
A. Ross, Treasurer
P. Noé Johnson, City Solicitor
J. Schatz, City Clerk
R. Fair, Director of Culture and Recreation
M. Watson, Real Estate
J. Mills, H.E.C.F.I.
J. Munro, Human Resources
J. Johnston, Commissioner of Human Resources
Fire Chief Baker
B. Desnoyers, Property
C. Stableford, H.S.P.C.A.
J. Hindson, Director of Information Systems
D. Lee, City Clerk's Office
D. Rose, City Clerk's Office
Susan K. Reeder, Secretary

A G E N D A

A. DELEGATIONS - Action for Cats Committee - Request to have City's Cat By-law rescinded.

The Committee was in receipt of correspondence dated 1995 March 6th and 1995 April 28th from Ken Stone, Chairperson of the Action for Cats Committee requesting to be a delegation at the Finance and Administration Committee regarding changes to the City's Cat By-law.

The Committee was also in receipt of correspondence in support of the City's Cat By-law from Leah Nelson, Judy Bennett and Mrs. B. J. Trembley.

The Committee was in receipt of a report from the General Manager of the Hamilton S.P.C.A. dated 1995 June 9th respecting the City's Cat By-law.

Ken Stone, Louise Brown, Dave Llewellyn, Skip Snelgrove and Janice Wilson all spoke to the Committee as representatives for the Action for Cats Committee and requested that the City revoke its Cat By-law.

Cam Stableford, General Manager of the H.S.P.C.A. addressed the Committee and outlined the Information Report that had been presented to the Committee on this matter from the H.S.P.C.A.

The Committee then discussed this matter at some length, and approved the following:

> That no action be taken on the request of the Action for Cats Committee to repeal the City's Cat By-law.

Note: Alderman Kiss and Mayor Morrow opposed.

DELEGATION - Habitat for Humanity

Alderman Charters declared a conflict of interest in the matter as he serves on the Board for Habitat for Humanity. Alderman Ross assumed the Chair.

The Committee was presented with a folder of information from Mr. Norm Westbury, Chairman of the Hamilton Habitat for Humanity. Mr. Westbury spoke to the Committee about his organization. In this regard, he requested that the City consider donating the land at 11 Arthur Street South to Habitat for Humanity, since this land is available as a result of tax arrears.

The Committee supported this idea, and referred it to staff for a report back on the process necessary to donate this land to Habitat for Humanity.

1. **IN CAMERA AGENDA**

The Committee moved into an In-Camera Session to discuss matters of a Private and Confidential nature.

The Committee then moved back into regular session, and approved the following:

AA. CITY SOLICITOR AND COMMISSIONER OF PUBLIC WORKS AND TRAFFIC

(i) City of Hamilton -ats- Horning

(a) That the City resolve Ontario Court (General Division) Action No. 26210/91 by the payment to the Plaintiff, Wayne Horning, of the sum of $3,000. inclusive of damages, interest and costs; and,

(b) That the Plaintiff be required to execute a Full and Final Release satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action No. 26210/91 be dismissed without costs.

(ii) City of Hamilton -ats- Pendlebury

(a) That the City of Hamilton resolve Ontario Court (General Division) Action # 29600/91 by the payment to the Plaintiff, Joan Meredith Pendlebury, of the sum of $26,682.19 inclusive of damages, interest and costs; and,

(b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action # 29600/91 be dismissed without costs.

BB. CITY SOLICITOR

(i) City of Hamilton and Diligent -v- Nguyen

(a) That the City of Hamilton resolve Ontario Court (General Division) Action # 25049/91 by accepting from the Defendants the sum of $46,325.68 in full satisfaction of all claims for damages, interest and costs; and,

(b) That the Mayor and City Clerk be authorized to execute a Full and Final Release in this matter in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action # 25049/91 be dismissed without costs.

(ii) Indemnity Agreement with Region

(a) (i) That the City agree to indemnify the Regional Municipality of Hamilton-Wentworth with respect to third party claims arising out of the actions of Regional employees engaged in work on behalf of the City of Hamilton, and further, to indemnify the said Regional employees in the same fashion, and on the same terms, as apply to City employees pursuant to City of Hamilton By-Law No. 90-089; and,

(ii) That the City of Hamilton extend full co-operation to the Region on third party claims involving work done on behalf of the Region by City employees, including making available Claims Investigation Reports prepared by the City, and requested by the Region, on the understanding that the Regional Municipality agrees to indemnify and save harmless the City from any damages, costs, or consequences resulting from the release to any third party of a copy of a Claims Investigation Report provided by the City of Hamilton; and,

(iii) That notwithstanding the foregoing, each municipality shall remain solely responsible for any damages or claims arising out of the operation of any motor vehicle owned by it, or operated by its employees in the scope of their employment; and,

(iv) That notwithstanding the foregoing, each municipality shall remain solely responsible for any Workers Compensation claims, Short or Long Term Disability claims or other benefits claims, with respect to its own employees; and,

(b) That the Region be requested to indemnify the Corporation of the City of Hamilton and its employees engaged in work on behalf of the Region as per the above; and,

(c) That this Resolution is effective upon the passage of a reciprocal indemnity agreement by the Regional Municipality.

2. CONSENT AGENDA

The Committee was in receipt of its Consent Agenda, and approved the following:

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

The Committee was in receipt of the minutes of its regular meeting held on Tuesday, 1995 May 23rd and the minutes of its special meeting held on Tuesday, 1995 May 30th. The Committee approved these minutes as circulated.

B. CITY CLERK

(i) Request for the Use of the City Hall Forecourt - Sunday, 1995 August 27 - 1995 National Cycling Championships

The Committee was in receipt of a report from the City Clerk dated 1995 June 8, respecting the above-noted matter and approved the following:

(a) That approval be given to the organizers for the 1995 National Road Cycling Championships to use the City Hall Forecourt on Sunday, 1995 August 27, between the hours of 1:00 o'clock p.m. to 5:00 o'clock p.m., for the start and finish of the 1995 National Cycling Championships; and,

(b) That the City Clerk be granted authority to approve similar use in future years, provided it does not interfere with any other activity.

(ii) **Appointments - Bingo Hall Review Committee**

The Committee was in receipt of a report from the City Clerk dated 1995 June 2, respecting the above-noted matter. The Committee approved the following:

That Aldermen D. Wilson, D. Drury and F. Eisenberger be appointed members of the Bingo Hall Review Committee, to review and consider applications for the establishment of new bingo halls and the upgrading or relocating of existing bingo halls in the City of Hamilton, pursuant to the Provincial Criteria and Procedures for Bingo Halls.

(iii) **Croatia Day Committee - Request to fly flag - Tuesday, 1995 May 30**

The Committee was in receipt of a report from the City Clerk dated 1995 May 18, respecting the above-noted matter and approved the following:

That approval be given to the Croatia Day Committee to fly the Croatian Flag at City Hall on Tuesday, 1995 May 30.

(iv) **Request for the use of the City Hall Forecourt - The Bahai Community of Hamilton**

The Committee was in receipt of a report from the City Clerk dated 1995 June 9, respecting the above-noted matter. The Committee approved the following:

(a) That approval be given to the Bahá'i Community of Hamilton to use the City Hall Forecourt from Monday, 1995 July 17 until Sunday, 1995 July 23 between the hours of 8:30 o'clock a.m. until 4:30 o'clock p.m., for a display and serving of refreshments; and,

(b) That the City Clerk be granted authority to approve similar use in future years, provided it does not interfere with any other activity.

(v) **Request for the use of the City Hall Forecourt - North Hamilton Community Health Centre**

The Committee was in receipt of a report from the City Clerk dated 1995 June 9, respecting the above-noted matter and approved the following:

(a) That approval be given to the North Hamilton Community Health Centre for the use of the City Hall Forecourt on either Friday, 1995 September 29 or Monday,1995 October 2, between the hours of 8:00 o'clock a.m. until 4:00 o'clock p.m., to set up booths for the launching of Community Health Week; and,

(b) That the City Clerk be granted authority to approve similar use in future years, provided it does not interfere with any other activity.

C. **TREASURER**

(i) **Authorization to Enter into Extension Agreements on Specific Properties for the payment of Realty Tax Arrears**

The Committee was in receipt of reports from the Treasurer dated 1995 June 1 and 1995 June 13th, respecting the above-noted matters and approved the following recommendation:

(a) That the Treasurer and the City Solicitor prepare the necessary documentation and the City enter into an extension agreement pursuant to The Municipal Tax Sales Act, 1984, with the owner of 68 Hillyard Street (care of the Public Trustee), for the repayment of outstanding realty taxes by equal monthly payments to a maximum time period of 72 months; and,

(b) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

(i) 14 Dalkeith
(ii) 118 Jackson East
(iii) 262 Wellington North
(iv) 247 Gibson
(v) 26 Glenburn
(vi) 19 John Street South
(vii) 802 Cannon Street East
(viii) 1394 King Street East
(ix) 74 Wentworth Street South

(c) That the By-law to authorize the said Extension Agreements be enacted by Council; and,

(d) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.

(ii) Supply and Delivery of Gasoline and Diesel Fuel as and when required to 1998 June 30, various locations

The Committee was in receipt of a report from the Treasurer dated 1995 May 23, respecting the above-noted matter. The Committee approved the following:

That purchase orders be issued for the supply and delivery of Gasoline and Diesel Fuels to various City Departments as and when required to 1998 June 30, in accordance with specifications issued by the Manager of Purchasing, Public Transport/HSR and Vendors' tenders, and be financed through various approved accounts, as follows:

Esso Imperial Oil, Willowdale

Diesel #2 Regular and #1 Premium		- $0.4040 per litre

Shell Canada, North York

Gasoline	- Unleaded	- $0.4958 per litre
	- Premium	- $0.5513 per litre

D. FIRE CHIEF - Purchase of Fatigue Uniforms, Hamilton Fire Department

The Committee was in receipt of a report from the Fire Chief dated 1995 June 1, respecting the above-noted matter and approved the following:

That a purchase order be issued to Aero Mode Ltd., Montreal and Toronto, to supply and deliver fatigue uniforms as and when required by the Hamilton Fire Department during 1995. This is the lowest of three tenders received in accordance with specifications issued by the Assistant Manager of Purchasing and Vendor's tender. The expenditure is to be financed through Uniforms, Clothing Account No. CH 56104 48001, as follows:

Short Sleeve Shirts (each)	$25.
Trousers (each)	$33.
Uniforms Jackets (each)	$47.
All taxes extra	

E. **COMMISSIONER OF HUMAN RESOURCES - Appointments To and Terminations From Permanent Positions with the Corporation of the City of Hamilton**

The Committee was in receipt of a report from the Commissioner of Human Resources dated 1995 June 8, respecting the above noted matter and approved the following:

That the listing of Appointments To and Terminations from Permanent Positions with the Corporation of the City of Hamilton to 1995 June 9, attached herewith and marked Appendix "A", be approved.

F. **SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE - Information Items**

The Committee was in receipt of a report from the Secretary of the Finance and Administration Committee, respecting the above noted matter and approved the following:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Information Report - Treasurer - Status of Hosting, Receptions and Related Accounts as at 1995 April 30

(b) Information Report - Treasurer - Status of Unclassified Revenue and Expenditures as at 1995 April 30

(c) Information Report - Treasurer - Treasury Department Renovations - dated 1995 June 9

(d) Information Report - Treasurer - Ontario and Quebec Interprovincial Trade Agreement - dated 1995 June 9

(e) Information Report - Fire Chief - 1994 Hamilton Fire Department Annual Report

(f) Correspondence - FCM - Conference information and Travel Savings Plan for FCM Members

3. **COMMISSIONER OF HUMAN RESOURCES**

(a) Salary Reclassification - Culture and Recreation

The Committee was in receipt of a report from the Commissioner of Human Resources dated 1995 May 30, respecting the above-note matter.

The Committee approved the following:

That the following Administrative Assistant IV positions be retitled from Administrative Assistant IV to Administrative Assistant III and be reclassified from Salary Level "Q" to Salary Grade "P" of the Non-Union Salary Schedule, retroactive to 1992 November 16th.

Administrative Assistant III (Arenas & Technical Services)
Administrative Assistant III (Community Services)
Administrative Assistant III (Cultural Division)

(b) Employee Assistance Program

The Committee was in receipt of a report from the Commissioner of Human Resources dated 1995 June 12, respecting the above-note matter.

The Committee approved the following:

(a) That a purchase order be issued to Family Services of Hamilton-Wentworth Inc. to provide services for the Employee Assistance Program, effective 1995 August 1, for a fee of $6,283.33 per month, to be funded from Account No. 142300-57723 Employee Assistance, City; and,

(b) That the agreement be subject to modification effective 1995 October 1 to reflect a monthly fee of $3,141.67 for funding of a reduced program in the event a cost-sharing arrangement with the employees is not obtained; and,

(c) That the Commissioner of Human Resources be authorized and directed to enter into an agreement between the Corporation of the City of Hamilton and Family Services of Hamilton-Wentworth to provide services for the Employee Assistance Program, upon the employer/employee cost-sharing arrangements being established; and,

(d) That the Chief Administrative Officer and City Clerk be authorized and directed to execute the agreement outlined in recommendation (c) in a form satisfactory to the City Solicitor.

4. **CORRESPONDENCE - THE HAMILTON AND DISTRICT CHAMBER OF COMMERCE - Request for the City to publish a message of congratulations in the Special Edition of "Panorama" on the commemoration of the Chamber's 150th Anniversary**

The Committee was in receipt of correspondence from the Hamilton and District Chamber of Commerce, respecting the above-noted matter.

The Committee approved the following:

(a) That the City purchase a 1/2 page space in the Special Commemorative issue of the Hamilton and District Chamber of Commerce's publication Panorama, to congratulate the Chamber on its 150th Birthday, at a cost not to exceed $350.; and,

(b) That funds for this purchase be charged to the City's Advertising Account Number CH 56302 12001.

5. **TREASURER - Disposition of Properties Acquired through the Tax Sale Process**

The Committee was in receipt of a report from the Treasurer dated 1994 June 14, respecting the above-noted matter and approved the following recommendation:

(a) The tax arrears, accumulated penalties and interest applicable to the following properties as of the tax sale date of 1995 May 23, be deleted from the tax rolls and charged to the Reserve for Property Purchases:

411 Britannia Avenue
648 Barton Street East
11 Arthur Avenue South

(b) The Director of Property be authorized to proceed with the sale of these properties in accordance with the Realty Sales Procedural By-Law 95-049 if they are not required for municipal purposes; and,

(c) The costs associated with securing and/or maintaining these properties be charged to the Reserve for Property Purchases and any subsequent recoveries upon disposition be credited back to the Reserve.

6. CITY CLERK

(a) **Amendments to the Procedural By-law (tabled at previous meeting to allow review by Council members)**

The Committee was in receipt of a report from the City Clerk dated 1995 May 17, respecting the above-noted matter.

The Committee was also in receipt of an Information Report from the Acting City Clerk dated 1995 May 17 respecting comments received on the proposed Amendments to the Procedural By-law.

Alderman Agro spoke to the Committee and requested a number of amendments to the proposed changes, and the Committee agreed to make these changes.

The Committee then approved the following:

(a) That City of Hamilton Procedural By-law No. 82-203 be amended to provide for the following:

(i) To expand the reason for the Acting Mayor to serve in place and stead of the Mayor to include "or other cause" in addition to illness. This would also include the Acting Mayor being unable to act due to illness "or other cause"; and,

(ii) To remove the requirement for an Alderman to serve on Council for at least seven months before being appointed as Acting Mayor; and,

(iii) To remove reference to the meetings of Council in the months of June, July, August, September and December being on a particular Tuesday of each of those months in order to provide flexibility to Council in choosing meeting days for those months; and,

(iv) To request written notice to be delivered to each Council Member at least "24 hours" before the meeting instead of at least "one day" before the meeting as currently provided for when calling Special Meetings of Council; and,

(v) To require the Clerk to be in attendance at all times in order to constitute a legal Council meeting; and,

(vi) To require One reading of the Bills; and,

(vii) To require all new business not included in the pre-printed Council agenda to require the invoking of Rule 9 to place it before Council for consideration including new business from a Committee; and,

(viii) To amend the funding requirements for funding not provided for in the approved budgets; and,

(ix) To allow the reconsideration rule not to apply to any matter re-submitted to Council by a Standing Committee who submitted the matter initially; and,

(x) To require that Notices of Motion are printed in the agenda of the next subsequent meeting of Council and when a Notice of Motion is not proceeded with by the mover after three consecutive meetings, that it be deemed to have been withdrawn; and,

(xi) To specify that points of order or procedure not provided for in the Procedural By-law be decided in accordance with the established practice of Council if not provided for in Bourinot's Rules of Order; and,

(xii) To state that no Committee shall deal with any matter outside municipal jurisdiction; and,

(xiii) To state that negative recommendations need not be forwarded to Council by the Standing Committees unless legislatively required or if desired by the Committee; and,

(xiv) To require written submissions from proposed delegations at least seventy-two hours before the time of the committee meeting; and,

(xv) To summarize the duties of the Standing Committees; and,

(b) That the City Solicitor be authorized and directed to prepare the appropriate amending By-law.

(b) Window Advertising in Taxicabs

The Committee was in receipt of a report from the City Clerk dated 1995 June 13, respecting the above-noted matter.

The Committee approved the following:

(a) That the City of Hamilton Licence By-law 93-069, Schedule 4, respecting Taxicabs, be amended to permit rear window advertising in Taxicabs, on a six month trial basis, effective 1995 June 30,; and,

(b) That the City Solicitor be authorized and directed to prepare the appropriate By-law amendment.

(c) Refreshment Vehicles

The Committee was in receipt of a report from the City Clerk dated 1995 June 13, respecting the above-noted matter.

The Committee approved the following:

(a) That the City of Hamilton By-law 93-069, Schedule 16, respecting the licensing, regulating and governing of refreshment vehicles, be amended to provide for the following:

(i) (1) The definition of a refreshment vehicle to include a refreshment cart, refreshment cycle and motorized refreshment vehicle; and,

(2) The definition of an eating establishment to mean a building or premise where food is prepared and offered for sale and consumption either therein or elsewhere; and,

(3) All reference to driver's duties and responsibilities be replaced by operator's duties and responsibilities; and,

(ii) (1) That the owner and/or operator of the refreshment vehicle comply with all the regulations in the by-law; and,

(iii) That the by-law also provide for the following:

(1) An annual inspection of the refreshment vehicle by the Licence Division and Environmental Health; and,

(2) The business name and City of Hamilton licence affixed in a position, approved by the Licence Division; and,

(3) The owner of a licensed eating establishment be permitted to operate his own licensed refreshment cart, as an auxiliary use to his business; and,

(4) A licensed refreshment vehicle to operate within 100 yards of an eating establishment or a City park, if there is prior written approval from the owner(s) of the eating establishment(s) or the appropriate City authority; and,

(5) Upon request by the City, the licence holder to provide written permission to locate on private property; and,

(6) All refreshment cycles to comply with the regulations of the Highway Traffic Act.

(b) That the City Solicitor be authorized and directed to prepare the appropriate amending By-law.

(d) Eating Establishments

The Committee was in receipt of a report from the City Clerk dated 1995 June 9, respecting the above-noted matter.

The Committee approved the following:

(a) That the City of Hamilton By-law 93-069, Schedule 8, respecting Eating Establishments, be amended to provide for the following:

(i) That a new classification of "restaurant take-out", defined as a building or premise where food is prepared; offered for sale, but consumed elsewhere, and no seating accommodation is provided; and,

(ii) That the deletion of the requirement for a public hall licence in an eating establishment, if dancing and/or entertainment is provided as an incidental use to the business; and,

(b) That the City Solicitor be authorized and directed to prepare the appropriate amending By-law.

(e) Hours of Operation for Bingo Parlours

The Committee was in receipt of a report from the City Clerk dated 1995 June 9, respecting the above-noted matter.

The following recommendation from the City Clerk was referred to the Licencing Committee:

(a) That the City of Hamilton Licence By-law 93-069, Schedule 15, respecting Public Halls and Certain Places of Amusement, be amended to permit licensed bingo halls to extend the hour of closing to 4:00 a.m., Saturday and Sunday mornings respectively, on a six month trial basis, effective 1995 June 30; and,

(b) That parking lot security be provided by the bingo hall between the hours of 12 o'clock midnight and 4:00 a.m, for Saturday and Sunday mornings respectively; and,

(c) That the City Solicitor be authorized and directed to prepare the appropriate amending By-law.

(f) Information Report - Council Vacancy/Election to Legislative Assembly

The Committee was in receipt of an Information Report from the City Clerk and Returning Officer dated 1995 June 15, respecting the above-noted matter.

The Committee agreed that a By-election be held to fill the present vacancy in Ward 5 as a result of the recent election of Alderman Dominic Agostino to the Legislative Assembly as the representative for Hamilton-East and approved the following:

(a) That City Council accept the Letter of Resignation dated 1995 June 13 from Ward 5 Alderman Dominic Agostino, effective 1995 June 8; and,

(b) That City Council declare the Ward 5 Aldermanic Seat vacant in accordance with Section 43 of the Municipal Act, R.S.O. 1990; and,

(c) That a By-Election be held in accordance with Section 46 of The Municipal Act, R.S.O. 1990, to fill the Aldermanic vacancy; and,

(d) That the City Solicitor be authorized to prepare the required By-law to provide for a Ward 5 By-Election.

(g) Request for City Comment to the LLBO - Texas Border

The Committee was in receipt of a report from the City Clerk dated 1995 June 19, respecting the above-noted matter.

The Committee approved the following:

That the L.L.B.O. be advised that the City has no objection to the issuance of a temporary extension of liquor licence for the Texas Border Grill and Boot Bar, 77 King William Street on Sunday, 1995 August 20th on the following conditions:

(a) That the liquor permit specify a bar closing time of 11:00 o'clock p.m.; and,

(b) That the Noise Control Officer be in attendance to monitor noise levels; and,

(c) That Texas Border erect double snow fencing around the area where liquor is being sold and consumed; and,

(d) That Police Officers be hired by the Texas Border in accordance with the requirements of the Hamilton-Wentworth Regional Police; and,

(e) That the Texas Border submit a plan to the Hamilton-Wentworth Regional Police for crowd control and over-capacity; and,

(f) That the terms and conditions required by The Hamilton Parking Authority in connection with the rental of municipal parking lot #1 be satisfied.

(g) (i) That the Texas Border Grill and Boot Bar provides the City with a Certificate of Insurance which evidences $5,000,000. public liability insurance which shall include liquor licence liability; and

(ii) That the Certificate of Insurance shall name the Corporation of the City of Hamilton and the Hamilton Parking Authority as additional insureds; and,

(iii) That the Texas Border Grill and Boot Bar shall provide for cross-liability and severability.

7. DIRECTOR OF PROPERTY

(a) Requested Information Report - Honeywell Service Agreements

The Committee was in receipt of an Information Report from the Director of Property dated 1995 June 7, respecting the above-noted matter.

Some discussion ensued, and the Committee agreed to **receive** this document for information purposes.

(b) Realty Sales Procedural By-law 95-049 - Declaration of Surplus Property

The Committee was in receipt of a report from the Director of Property dated 1995 June 14, respecting the above-noted matter.

The Committee approved the following:

That the property at 401-403 King Street West be declared surplus to the requirements of the City in accordance with the Realty Sales Procedural By-law 95-049.

(c) Central Utilities Plant - Cogeneration - Alternative Site Study

The Committee was in receipt of a report from the Director of Property dated 1995 June 5, respecting the above-noted matter and approved the following:

The Committee approved the following:

(a) That approval be given to issue a purchase order to Marsh Energy Inc. of Burlington, Ontario in the amount of $58,850. inclusive of G.S.T. ($3,850.) for the preliminary engineering evaluation of alternative site CH-2 (City Hall) for the Central Utilities Cogeneration Plant; and,

(b) That as timing is of the essence due to this project being funded through the Canada/Ontario Infrastructure Works Program, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council."

(d) **Award of Contract - Engine/Generator Supplier Central Utilities Cogeneration Project**

The Committee was in receipt of a report from the Director of Property dated 1995 June 13, respecting the above-noted matter and approved the following:

The Committee approved the following:

(a) That authorization be given to establish a purchase order in the amount of $3,649,427. inclusive of G.S.T. ($223,886.) for accounting purposes, only becoming effective upon execution of a formal Agreement, prepared by the City Solicitor, between the City and Toromont/Caterpillar of Concord, Ontario for the supply, installation and commissioning of two 3612 engine-generator sets with a nominal output of 2,100 kilowatts for the Central Utilities Cogeneration Plant, this being the lowest of three proposals received in accordance with the specifications issued by the Purchasing Division, Ref:C14-4-95; and,

(b) That the Mayor and City Clerk be authorized and directed to execute the said Agreement on behalf of the City; and,

(c) That the Agreement specify the various stages of engine construction completion at which particular amounts of the total money amount in (a) will be payable, as per a Schedule of payment to be agreed by the City and Toromont/Caterpillar; and,

(d) That the Director of Property be authorized and directed to initiate negotiations with Toromont/Caterpillar for an extended maintenance agreement for the engine-generator sets; and,

(e) That as Toromont/Caterpillar offered various options for larger capacity generators along with their base bid proposal which may prove to be beneficial to the City, the Director of Property be authorized to evaluate, along with the City's Consultant, Marsh Energy Inc., the two options submitted and prepare a report for the next scheduled Committee and Council meetings. In the event the City, in its sole discretion decides to pursue the acquisition and installation of such larger capacity generators, then the Agreement referred to in (a) to (c) above would be amended accordingly.

8. **DIRECTOR OF INFORMATION SYSTEMS - Operational Review of Information Systems Department - Re-issuance of Request for Proposals for Operations portion of the Study**

The Committee was in receipt of a report from the Director of Information Systems dates 1995 June 15, respecting the above-noted matter. The Committee approved the following:

(a) That Section 11 (a) and (b) of the Fifteenth Report of the Finance and Administration Committee adopted by Council at its meeting 1994 October 11, be rescinded with respect to any references to Andersen Consulting of Etobicoke; and,

(b) That the Director of Information Systems be authorized to issue a request for proposals for Consulting firms to undertake the operational review portion of the Study of the Information Systems Department.

9. SELECTION COMMITTEE

(a) **Recommendation - Appointments to the Hamilton Farmers Market Sub-Committee &**

(b) **Recommendation - Appointments to the Taxi Advisory Sub-Committee**

The Committee was in receipt of a report from the Secretary of the Selection Committee dated 1995 June 19, respecting the above-noted matter and approved the following:

(a) That the following citizens be appointed to serve on the Taxi Advisory Committee for a term to expire 1997 November 30:

(i) Taxi Brokerage Representatives:
Ron VanKleef
Veterans Taxi
Anthony Rizzuto
Blue Line Transportation Ltd.

Paul Devlin
Hamilton Yellow Cab Company Ltd.

(ii) Citizen Representatives:
Dennis McIndless
Allan Quicke
Marlene Thomas Osbourne

(iii) Taxi Industry Professionals:
Bob Bourke
Sandra Lee Keiko Fukumoto
George Hutchinson

(b) That two members of the Finance and Administration Committee be appointed to serve on the Taxi Advisory Committee.

(c) That the following citizens be appointed to serve on the Hamilton Farmer's Market Sub-Committee for a term to expire 1997 November 30:

Bob Lewis
Robert Menagh

(d) That two members of the Finance and Administration Committee be appointed to serve on the Farmer's Market Sub-Committee.

10. **COMMISSIONER OF PUBLIC WORKS AND TRAFFIC - 1995-1998 Street Vendors Program - Supplementary Bids**

The Committee was in receipt of a report from the Commissioner of Public Works and Traffic dated 1995 June 15, respecting the above-noted matter.

The Committee approved the following:

(a) That the four Street Vendor locations be awarded for the period commencing 1995 June to the end of 1998 December, to the successful proponents, one cart per location, as listed:

NAME	LOCATION	PRODUCT	FEE
Mustafa Ghamishah	N/E Corner of King & Catharine	Sausage/Hot Dogs	$2,000.
	North side of King E. of James	Sausage/Hot Dogs	$7,200.
Troy D'Souza	Jarvis Square Clock Tower	Sausage/Hot Dogs	$1,080.
	Victoria and Barton	Sausage/Hot Dogs	$ 780.

(b) That this approval be subject to confirmation of the following:

(i) That the products offered for sale are approved by the Hamilton-Wentworth Regional Health Department; and,

(ii) That the submitted bids remain unchanged following the review by the Health Department; and,

(c) That the proponents enter into a legal agreement satisfactory to the City; and,

(d) That the City Solicitor be authorized to execute the agreements.

11. OTHER BUSINESS

Alderman Ross spoke to the Committee about concerns raised by Aquafest organizers about the permanent Street Vendor Programme locations operating during festivals. The Committee agreed that Doug Farquhar of the Public Works Department should review this situation with a view to arriving at a mutually agreeable solution between the location holders and the Aquafest organizers.

Some questions were raised regarding the upcoming Hess Village Jazz Festival and whether details of their event were known. No details were available.

12. ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder

Susan K. Reeder
Secretary
1995 June 20

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Mike D'Agata	I	Lead Hand Welder (T3)	Fleet	Replacing Mr. M. Bellehumeur - retired, June 30/94	$48,214.40	May 08/95
Mr. Charles Porter	I	Probationary Communications Fire Operator (N1)		Replacing Ms. S. McCallum - retired, March 31/95	$36,867.15	May 08/95
Mr. Terry Stephenson	I	Lead Hand/Truck Driver (D17)	Public Works	Replacing Mr. P. Dellerba - terminated Feb. 16/95	$37,146.72	April 07/95

Prepared June 9, 1995

Status	
Internal	1
External	8

Appendix "A" referred to in Section 13 of the SEVENTEENTH Report of the Finance and Administration Committee for 1995.

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Gerald Cuddy	Manager Business Application Systems	Information Systems	Retired (Early)	24 years, 7 months	June 30/95
Mr. Anthony Diligenti	Truck Driver "A"	Public Works	Terminated	17 years	June 25/95
Mr. Carlyle Gates	Firefighter I	Fire	Retired (Early)	30 years	May 05/95
Mr. Herbert Williams	Cemetery Gardener	Public Works	Deceased	23 years, 9 months	April 17/95

Prepared June 9, 1995

Glossary of Terms

Terminated - long term disability
- discharge
- downsizing
- redundant

Resigned - personal betterment
- personal reasons

B. (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 June 26

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Authorization to enter into extension agreements on specific properties for the payment of realty tax arrears

RECOMMENDATION:

1) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on June 28, 1994:

287 Brucedale East	153 East 31st
167 Park Row North	64 Belvidere
718 Dunn	185 Fennell East
1308 King East	106 Kenilworth North
1658 King East	

2) That the attached by-law to authorize the said Extension Agreements be enacted by Council.

3) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The execution of the by-law and agreements, where required, will defer the City's right to sell the lands for tax arrears for a maximum period of 24 months; however, the City will be in receipt of regular monthly payments towards current and prior years arrears over the term of the agreements.

BACKGROUND:

Section 8 of the Municipal Tax Sales Act provides that the municipality, by a by-law passed after the registration of the tax arrears certificate and before the expiry of the one-year period for redemption, may authorize an extension agreement with the owner of the land extending the period in which the cancellation price is to be paid. On June 28, 1994, in accordance with this legislation, Council approved a policy authorizing the City to enter into extension agreements with taxpayers providing certain conditions were met.

The owner of a property which has been registered for tax arrears may request the City to consider an extension agreement at any time up to and including the final day on which the redemption period expires. Administratively, there may not be sufficient time to obtain the necessary Council approval of the by-law prior to this deadline. Accordingly, staff are requesting advance authorization for the City to enter into extension agreements, if necessary, with the owners of the above specific properties providing they meet the conditions outlined in the policy adopted by Council on June 28, 1994.

In certain instances when all of the conditions in the extension agreement policy are not met the Treasurer should be allowed the latitude to recommend an extension agreement be entered into if it is deemed to be in the best financial interest of the municipality. Under these circumstances a separate report would be provided to the Committee for deliberation and approval.

During the initial months of this repayment option it has been ascertained that operational time constraints, e.g. writing of reports, council approvals, make it necessary to have the authorization to enter into these extension agreements pre-approved. Accordingly, in the month that the legislated final notices for the tax registration process are mailed out (280 days from the registration date), a listing of all those properties for which the owners may wish to enter into an extension agreement will be forwarded to Committee and Council for approval. Owners who show an interest in entering into an extension agreement with the City prior to the mailing of the final notices, will be added to the monthly reports as required.

/TAB

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.95-

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

   (b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.

2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

3

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this day of 1995, A.D.,

CITY CLERK **MAYOR**

SCHEDULE "A"
EXTENSION AGREEMENTS

A)	PROPERTY ADDRESS	287 BRUCEDALE AVE SOUTH
	SERIAL NUMBER	07 08110 0370
	BRIEF LEGAL DESCRIPTION	PLAN 572 LOT 180
	DATE OF REGISTRATION	OCTOBER 4, 1994
	INST # OF TAX ARREARS CERTIFICATE	VM195535
	REDEMPTION DATE	OCTOBER 4, 1995
	TOTAL ARREARS	$7,838.17
B)	PROPERTY ADDRESS	153 EAST 31ST
	SERIAL NUMBER	06 06250 1860
	BRIEF LEGAL DESCRIPTION	PLAN 561 PT LOT 108 & 109
	DATE OF REGISTRATION	OCTOBER 4, 1994
	INST # OF TAX ARREARS CERTIFICATE	VM195532
	REDEMPTION DATE	OCTOBER 4, 1995
	TOTAL ARREARS	$12,694.33
C)	PROPERTY ADDRESS	167 PARK ROW SOUTH
	SERIAL NUMBER	04 03140 0070
	BRIEF LEGAL DESCRIPTION	PLAN 297 PT LOT 188
	DATE OF REGISTRATION	OCTOBER 4, 1994
	INST # OF TAX ARREARS CERTIFICATE	VM195530
	REDEMPTION DATE	OCTOBER 4, 1995
	TOTAL ARREARS	$6,280.03
D)	PROPERTY ADDRESS	718 DUNN AVE
	SERIAL NUMBER	05 04030 7710
	BRIEF LEGAL DESCRIPTION	PLAN 573 LOT 500 & 600
	DATE OF REGISTRATION	OCTOBER 4, 1994
	INST # OF TAX ARREARS CERTIFICATE	LT372252
	REDEMPTION DATE	OCTOBER 4, 1995
	TOTAL ARREARS	$54,727.36
E)	PROPERTY ADDRESS	1308 KING STREET EAST
	SERIAL NUMBER	04 02930 5830
	BRIEF LEGAL DESCRIPTION	PLAN 478 PT LOT 2
	DATE OF REGISTRATION	OCOTBER 4, 1994
	INST # OF TAX ARREARS CERTIFICATE	VM195534
	REDEMPTION DATE	OCTOBER 4, 1995
	TOTAL ARREARS	$23,131.52
F)	PROPERTY ADDRESS	1658 KING STREET EAST
	SERIAL NUMBER	04 03040 0790
	BRIEF LEGAL DESCRIPTION	PLAN 585 LOT 45 PT LOT 44
	DATE OF REGISTRATION	OCTOBER 6, 1994
	INST # OF TAX ARREARS CERTIFICATE	VM105697
	REDEMPTION DATE	OCTOBER 6, 1995
	TOTAL ARREARS	$24,300.03
G)	PROPERTY ADDRESS	64 BELVEDERE
	SERIAL NUMBER	08 09040 8760
	BRIEF LEGAL DESCRIPTION	PLAN 457 PT LOT 11
	DATE OF REGISTRATION	OCTOBER 6, 1994
	INST # OF TAX ARREARS CERTIFICATE	VM195703
	REDEMPTION DATE	OCTOBER 6, 1995
	TOTAL ARREARS	$14,497.84

SCHEDULE "A"
EXTENSION AGREEMENTS

H)	PROPERTY ADDRESS	185 FENNELL AVE EAST
	SERIAL NUMBER	08 09010 0670
	BRIEF LEGAL DESCRIPTION	PLAN 495 LOT 93
	DATE OF REGISTRATION	OCTOBER 6, 1994
	INST # OF TAX ARREARS CERTIFICATE	VM195699
	REDEMPTION DATE	OCTOBER 6, 1995
	TOTAL ARREARS	$15,945.23
I)	PROPERTY ADDRESS	106 KENILWORTH AVE SOUTH
	SERIAL NUMBER	04 03060 8680
	BRIEF LEGAL DESCRIPTION	PLAN 512 LOT 40 PT LOT 39 & 41
	DATE OF REGISTRATION	OCTOBER 20, 1994
	INST # OF TAX ARREARS CERTIFICATE	VM196624
	REDEMPTION DATE	OCTOBER 20, 1995
	TOTAL ARREARS	$16,543.32

B. (ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 June 26

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Financing the City's Share of a Detailed Storm Water Management Report Related to Subdivisions

RECOMMENDATION:

That the City's share of a joint Detailed Storm Water Management Report for the proposed draft plans of subdivision, Albion Mills Estates and Redhill Vista, at a cost of $18,000.00, be financed from Centre No. CH 00107 - "Reserve for Services Through Unsubdivided Lands".

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The net amount to be financed for all 1995 projects related to subdivision expenditures, including this recommendation, is $36,843.00. The 1995 Capital Budget includes a provision of $1,273,000 for the City's share of subdivision expenditures in 1995. It should be noted that the City's share for the study is fully recoverable from the proceeds of the sale of City lands for Albion Mills Estates.

BACKGROUND:

The Transport and Environment Committee will be considering this report at their meeting of 1995, July 6. The details of the project cost is outlined in the letter of Mr. E.M. Gill, Senior Director, Roads Department, dated 1995, June 23.

CK:ck
Attach

c.c. E.M. Gill, Senior Director, Roads Department
K. Christenson, Secretary, Transport and Environment Committee

CITY OF HAMILTON

- RECOMMENDATION -

DATE: June 23, 1995
S701-73 Eugene P. Chajka, P.Eng.

REPORT TO: K. Christenson, Secretary
Transport and Environment Committee

FROM: E. M. Gill, P.Eng.
Senior Director

SUBJECT: **1995 Expenditures Related to Subdivisions (R-95-42)**

RECOMMENDATION:

a) That a joint Detailed Storm Water Management Report, be conducted in the Albion Falls Neighbourhood, for the proposed draft plans of subdivision, Albion Mills Estates (City owned), and Redhill Vista, and that the City's share, of $18,000.00 of the estimated total cost of $30,000.00 be approved.

b) That the Finance and Administration Committee recommend the source of funding for this study.

c) That this recommended source of funding of the City's for this study be reimbursed from the proceeds from the sale of the Albion Mills Estates lands.

E. M. Gill, P. Eng.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The total estimated costs of the City's share of the Detailed Storm Water Management Report is $18,000.00. The total estimated cost of the study is $30,000.00.

cont'd...

1995 Expenditures Related to Subdivisions (R-95-42)

cont'd...

The City's share of costs ($18,000.00) is associated with the Detailed Storm Water Management Study for the City's Albion Mills Estates subdivision and the surrounding area, including lands to the south known as Redhill Vista subdivision.

The City's share, for the study is fully recoverable from the proceeds of the sale of City lands for Albion Mills Estates.

BACKGROUND:

The City of Hamilton owns property on the north side of Mud Street in the Albion Falls Neighbourhood which is being considered for disposal. This property is suitable for residential development, however, as a condition of development of this property, it will be necessary to produce a study that identifies the measures required to mitigate the negative effects of development on downstream lands. This includes erosion and water quality effects. Similarly, lands on the south side of Mud Street; (known as "Redhill Vista subdivision"), which are drained by the same tributary of the Red Hill Creek, require the same type of study as a condition of draft plan approval.

In order to eliminate duplication of effort and to be more cost effective the owner of "Redhill Vista" subdivision is agreeable to cost share a single study that addresses both properties. The costs shares are based on a prorata of the net developable areas of each property. The resultant shares on this basis are 60% to the City of Hamilton and 40% to the owner of Redhill Vista subdivision.

EC/ps
cc: A. C. Ross, City Treasury Department, Att: D. Cobb
cc: M. Watson, Real Estate Division, City Property Department
cc: Councillor D. Ross, Chairman, Fin.& Administration Committee
cc: S. Reeder, Secretary, Fin. & Adm. Com.

THE PARKING AUTHORITY OF THE CITY OF HAMILTON

PETER G. BAKER
GENERAL MANAGER

CHAIRMAN
ALDERMAN VINCE AGRO

MEMBERS
ALDERMAN DOMINIC AGOSTINO
ALDERMAN FRANK D'AMICO

C.

INFORMATION REPORT

DATE: *June 8, 1995*

REPORT TO: *Susan Reeder, Secretary*
Finance and Administration Committee

FROM: *Peter G. Baker, General Manager*
The Parking Authority of the City of Hamilton

SUBJECT: *Completed Capital Projects--**Parking Authority***

The projects shown on the attached listing have been completed and are to be closed, with the excess financing returned to the original funding source.

c.c *Allan Ross*
Treasurer
Attention: *G. Keith*
Accounting

80 MAIN STREET WEST, *(AT SUMMERS LANE)*, HAMILTON, ONTARIO L8P 1H6 • TELEPHONE (905) 523-7275 • FAX (905) 523-0878

Recommendation to Close CF Accounts

That the City Treasurer be directed to close the following capital project account(s) with any excess funding to be transferred to its original source of financing:

Centre Number	Project Description	Authorized Gross Cost	Total Expenditure	Excess Financing
908345001	PARKING FACILITIES & LAND ACQUISITION	190,000.	189,907.39	92.61
909045006	LAND ACQ FOR PARKING PURPOSES - GENERAL	400,000.	302,999.88	97,000.12
909045007	KING WILLIAM AND MARY CARPARK DECKING	100,000.	49,281.42	50,718.58
909245002	LAND ACQ FOR PARKING PURPOSE - GENERAL	1,000,000.	297,912.20	702,087.80
909245005	UPGRADING OF EXISTING PARKING FACILITIES	725,000.	724,930.29	69.71

Authorized by: _____

Date: Feb 20/95

Please forward completed form to Treasury Department, attention of Grant Keith.

File: CFCLOSE

D.

CITY OF HAMILTON

- RECOMMENDATION-

DATE: 1995 June 28

REPORT TO: S. K. Reeder, Secretary
Finance and Administration Committee

FROM: L. King, P.Eng., Chairman
Development Charges Staff Subcommittee

SUBJECT: Authorization for Public Meeting -
Development Charges By-law

RECOMMENDATION:

a) That the Finance and Administration Committee of City Council hold a public meeting on 1995, August 22, at 1:30 p.m. respecting a new Development Charges By-law; and,

b) That the City Clerk be authorized and directed to give notice of the Public Meeting for the purpose of a new Development Charges By-law. The notice shall be in accordance with section 8 of Ontario Regulations 725/89 made under the Development Charges Act, 1989.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

On 1990 March 27, City Council passed the City's first Development Charges By-law #90-074. This by-law was passed under the Development Charges Act, and imposes development charges for both residential and non-residential development. The by-law was subsequently amended in 1992 June to reduce the charges by 40%. On 1995 March 23, City Council passed a by-law for a 6 month term that continued the existing rates, terms and conditions.

Under Section 6 of the Development Charges Act, our development charges by-law expires on 1995 September 23 and a new by-law will have to be prepared to coincide with the expiry date.

.../2

DISCUSSION:

The Development Charges Act, requires the City to present the new development charges policies and recommendations prior to the passing of a new by-law.

The next stage in the process requires Council to hold a public meeting to:

> 4(1)(c) "ensure that sufficient information is made available at the meeting to enable the public to understand generally the development charges proposal."

In order to meet the deadline of 1995, September 23 and meet the prescribed periods to allow appeals, Council must approve a by-law by that date. Holding the public meeting at the regular 1995, August 22, Finance and Administration Committee Meeting allows the issue to be considered at a special Finance and Administration Committee Meeting on 1995 August 29 with approval at City Council on that date. Notice of Public Meeting will be done through a published notice in the newspaper for local circulation with special invitations extended to the Hamilton Harbour Commission, the Hamilton-Halton Home Builders' Association, the Hamilton Chamber of Commerce and other parties who have previously expressed interest.

For the information of the Committee, the proposed timetable.

. July 6	Staff Committee and Consultants to meet with the Development Industry Representatives to present and discuss the study findings, new policy issues and proposed recommendations.
. July 24	Development Charges Study Report available at the Office of Clerk.
. August 22	Public Meeting to present the recommendations and policies.
. August 29	Report and By-law to a special 7:00 p.m., Meeting of the Finance and Administration Committee prior to City Council. Council then to approve the new By-law.

/cs

cc: Development Charges Staff Sub-committee

E.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 26 June 1995

JUN 27 1995

REPORT TO: Susan K. Reeder, Secretary
Finance & Administration Committee

FROM: J.J. Schatz
City Clerk

SUBJECT: **Request for the Use of the Second Floor Foyer (West End) 1995 July 3 to 1995 October 31 - West Harbourfront Development Study - Concept Model**

RECOMMENDATION:

(a) That approval be given to the action taken by the City Clerk in authorizing the Manager of Parks, Department of Public Works through Alderman Eisenberger, Chairperson of the West Harbourfront Development Steering Committee, to display the Concept Model - West Harbourfront Development Study from 1995 July 3 until 1995 October 31, in the Second Floor Foyer - West End.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The Parks and Recreation Committee, at its meeting of 1995 June 20, considered a report from the Secretary of the West Harbourfront Development Study Steering Committee relating to the concept plan for the long term development of Hamilton's West Harbourfront area. A model of the proposed concept plan has been built and is available for public display. Through the office of Alderman Eisenberger, Chairperson of the West Harbourfront Development Steering Committee it is requested that permission be granted to display the model from 1995 July 3 until 1995 October 31.

The model will be taken down and displayed by Parks Division staff at various public meetings and presentations over the summer period.

In order to maximize the exposure of the display to citizen's visiting City Hall, it was suggested that the best possible location for the model would be the Second Floor Foyer, West End.

cc: Mayor's Office
Alderman Eisenberger, Chairperson, W.H.D.S.C.
R.W. Chrystian, Manager of Parks, Department of Public Works
R. Swan, Manager of Building Operations & Maintenance Division
Information Desk

F. (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 June 23

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Supply and Delivery of Workers' Uniform Clothing

RECOMMENDATION:
That a purchase order be issued to J. P. Hammill & Son Limited, Guelph, for the supply and delivery of Workers' Uniform Clothing as and when required during 1995 to Purchasing Stores, being the lowest of four tenders received, in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through Stores Inventory Account No. CH56103 28999, as follows:

Grey Trousers	$13.40 pair
Short Sleeve Grey Shirts	12.50 each
Long Sleeve Grey Shirts	14.25 "
Grey Overall Jackets	29.25 "
Grey Overall Pants	28.25 "
Grey Crested Coveralls	28.25 "

All taxes extra

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:
N/A

BACKGROUND:
This tender was advertised and ten suppliers invited to bid. Six suppliers did not respond.

Analysis of the four tenders received based on estimated quantities.

Unit prices all taxes extra

Desc.	Qty.	J. P. Hammill		Aero Mode		Starfield		Wear Well	
		Unit	Total	Unit	Total	Unit	Total	Unit	Total
Grey Trousers	1500	13.40	20,100.00	13.30	19,950.00	20.26	30,390.00	22.45	33,675.00
S/Sleeve Grey Shirts	600	12.50	7,500.00	13.10	7,860.00	20.35	12,210.00	16.20	9,720.00
L/Sleeve Grey Shirts	800	14.25	11,400.00	15.25	12,200.00	23.75	19,000.00	20.10	16,080.00
Grey Overall Jackets	600	29.25	17,550.00	38.00	22,800.00	35.84	21,504.00	-0-	-0-
Grey Overall Pants	400	28.25	11,300.00	26.50	10,600.00	37.55	15,020.00	-0-	-0-
Grey Crested Coveralls	200	28.25	5,650.00	28.00	5,600.00	40.51	8,102.00	36.30	7,260.00
TOTAL			73,500.00		79,010.00		106,226.00		66,735.00

F. (ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 June 23

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Supply and Delivery of Safety Footwear

RECOMMENDATION:
That a purchase order be issued to Emille Shoes Ltd., Burlington, for the supply and delivery of Safety Footwear as and when required during 1995 to Purchasing Stores, being the lowest of three tenders received, in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through Stores Inventory Account No. CH56103 28999, as follows:

Safety Shoes	$59.97 pair
8" Insulated Safety Boots	74.62 "
8" Non-insulated Safety Boots	76.96 "
6" Non-insulated Safety Boots	54.73 "

All taxes extra

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:
N/A

BACKGROUND:
This tender was advertised and twelve suppliers invited to bid. Nine suppliers did not respond.

Analysis of the three tenders received based on estimated quantities.

Prices per pair, all taxes extra

Desc.	Qty.	Emille Shoes Ltd.		Lawlor Safety		The Safety Depot	
		Unit	Total	Unit	Total	Unit	Total
Safety Shoes	75	$59.97	4,497.75	60.35	4,526.25	79.99	5,999.25
8" Insulated Safety Boots	780	74.62	58,203.60	78.75	61,425.00	103.99	81,112.20
8" Non-insulated Safety Boots	30	76.96	2,308.80	78.25	2,347.50	102.99	3,089.70
6" Non-insulated Safety Boots	100	54.73	5,473.00	93.30	9,330.00	122.99	12,299.00
TOTAL			70,483.15		77,628.75		102,500.15

CITY OF HAMILTON

- RECOMMENDATION -

G.

DATE: 1995 June 27

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

JUN 2 8 1995

FROM: Mr. D. W. Vyce
Director of Property

SUBJECT: Kiwanis Boys & Girls Club Re-roofing
- Ellis Avenue at Campbell Avenue

RECOMMENDATION:

1. (a) That approval be given to issue a purchase order in the amount of $64,949.00 inclusive of $4,249.00 GST to commission AM Roofing Systems Inc. of Hamilton for the replacement of the roof at the Kiwanis Boys & Girls Club Recreation Centre on Ellis Avenue at Campbell Avenue being the lowest price of three quotes received in accordance with the specifications issued by the Manager of Purchasing.

   (b) That the Mayor and City Clerk be authorized to execute a contract in a form satisfactory to the City Solicitor.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

This project is to be financed through Capital Budget Funds account # CF 319541001 Major Maintenance to Civic buildings.

BACKGROUND:

The Property Department identified that the roof system at Kiwanis Boys & Girls Club has surpassed its life expectancy and requires replacement. In April of 1995 C.G.A. Roof Consultants were retained by the Building Operations and Maintenance Division of the Property Department to develop a plan of action for the replacement of the roof at Kiwanis Boys & Girls Club.

The plan was developed and specifications were created and this project was tendered May 26th, 1995 and was closed June 9th, 1995.

Ten Contractors attended a mandatory site meeting at the Kiwanis Boys & Girls Club. Three contractors returned the tender package with no cost enclosed stating that they were unable to bid at this time. Three tenders were disqualified for lack of acknowledgement of Addendum No.1. One company represented at the site meeting did not bid whatsoever.

Three tenders were received that met all specifications issued by the Manager of Purchasing on April 11, 1995. The three bids were:

AM Roofing & Sheet Metal Inc.	$ 64,949.00
Bertozzi Roofing & Sheet Metal	$ 79,596.00
Riddell Sheet Metal & Roofing	$ 80,672.65

Bids disqualified

Provincial Industrial Roofing
Solar Roofing
Trio Roofing

Unable to Bid

Whiteside Roofing & Sheet Metal
Roque Roofing & Sheet Metal
Atlantic Roofers Ontario Ltd.

No Bid

Niagara Peninsula Home Improvements

DWV:ghl

cc: Patrice Noé Johnson, City Solicitor, Law Department
Allan Ross, Treasurer, Treasury Department
Robert Swan, Manager, Building Operations & Maintenance

H.

CITY OF HAMILTON

-RECOMMENDATION-

DATE: 1995 June 30th

REPORT TO: Alderman B. Charters, Chairman & Members,
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary,
Finance and Administration Committee

SUBJECT: **Information Items**

RECOMMENDATION:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Information Report - Treasurer - Status of Unclassified Revenue and Expenditures as at 1995 May 31

(b) Information Report - Treasurer - Status of Hosting, Receptions and Related Accounts as at 1995 May 31

(c) Minutes - Hamilton Status of Women Sub-Committee - meetings held 1995 February 6, March 6 and April 3

(d) Information Report - Commissioner of Human Resources - Update - Human Resources Information System - report dated 1995 June 22

(e) Information Report - Treasurer - Canada/Ontario Infrastructure Projects - report dated 1995 June 20

Susan K. Reeder.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A

BACKGROUND:

The above-noted documents have been sent out to members of the Committee and the applicable staff for information purposes, and are being formally presented to the Committee in order to be officially received. Approval of this recommendation to receive these documents will ensure that the circulation procedure followed for these matters is recorded.

CITY OF HAMILTON

- RECOMMENDATION -

4. (a.)

DATE: 1995 June 9

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Post Audit Letter - Recommendations and Comments Concerning Accounting Systems, Procedures and Controls for 1994

RECOMMENDATION:

That the 1994 Post Audit Letter containing recommendations and comments affecting the City's accounting systems, procedures and controls and subsequent management action be accepted.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Attached is the 1994 Post Audit Letter issued by MacGillivray Partners, Chartered Accountants on the City's operations for the Committee's review. Included in the letter are the observations on weaknesses of the existing systems audited, recommendations for strengthening these systems and the corrective action taken by management.

RD:jc
Att

CITY OF HAMILTON

POST AUDIT LETTER

RECOMMENDATIONS AND COMMENTS CONCERNING
ACCOUNTING SYSTEMS, PROCEDURES AND CONTROLS
FOR 1994

MAY 1995

PREVIOUSLY REPORTED UNRESOLVED WEAKNESSES AND WEAKNESSES NOTED IN 1994 FOR THE FIRST TIME

CONTENTS

Areas	Weaknesses Noted in 1994 for the First Time: Number of Recommendations	Page Numbers
Loan Programs	1	1
Bank Reconciliations	1	2
Accounts Receivable - Invoicing	1	3
Accounts Receivable - Collectibility	1	3
Metered Water Arrears	1	4
Prelevy for Locals	1	5
Investments	1	6
Trust Fund Bank Accounts	1	7
Parking Authority	1	8
Hamilton Housing	1	9
Cheque Requisition	1	10
Responsibility for Financial Statements	1	11

OBSERVATION OF EXISTING SYSTEM	RECOMMENDATIONS FOR STRENGTHENING SYSTEM	MANAGEMENT COMMENTS
LOAN PROGRAMS		
(H.R.L.P., H.H.L.P., Second Level Lodging Homes, Community Heritage Fund Program, Commercial Facade Loan Program and Termite Control Loan Program)		
Weaknesses Noted in 1994 for the First Time		
These programs consist of loaning funds to homeowners for various specific purposes. As such, the only assets which the City should have recorded are Principal Receivable and Advances on Loans not Finalized. Currently there are other amounts recorded as assets and liabilities (eg. write-off, advances from province, receipts transferred to be reloaned, provincial and municipal grant portions) which should have been recorded through the appropriate reserves.	Adjustments should be made to record the loan program asset accounts at their appropriate amounts. As well, a review of the current system should be done to ensure that similar adjustments will not be required in the future.	Recommendation accepted. A review of the accounting policies for these types of programs will be conducted in 1995.

OBSERVATION OF EXISTING SYSTEM	RECOMMENDATIONS FOR STRENGTHENING SYSTEM	MANAGEMENT COMMENTS
Bank Reconciliations		
Weaknesses Noted in 1994 for the First Time		
The bank reconciliation for the general bank account includes "Other Reconciling Items" which represent the activities of the bank account near the year end date. They include such items as transfers made after year end which are recorded as if they occurred prior to the year end. In actual fact these are receivables or payables that are recorded as cash.	The only reconciling items that should appear on the bank reconciliation are outstanding cheques, outstanding deposits and errors made by the bank or the City in recording transactions. Any transfers not made until after year end should properly be recorded as receivables and payables.	Recommendation accepted. Transfers not made until after the year end will be reflected in either accounts receivable or accounts payable. A procedure will be implemented requiring that staff prepare all necessary transfers prior to year end.

OBSERVATION OF EXISTING SYSTEM	RECOMMENDATIONS FOR STRENGTHENING SYSTEM	MANAGEMENT COMMENTS
Accounts Receivable - Invoicing Weaknesses Noted in 1994 for the First Time The invoice date used on accounts receivable invoices is the date when notice is given to the accounts receivable department that the invoice is issued. For example, when the public works and the traffic departments write up an invoice, they may hold them for a period of time before sending them to the accounts receivable department. When the accounts receivable department receives the invoices, they are recorded then as receivables with collection terms of thirty days from that day rather than the day the invoices were first prepared. As a result, the time between actually providing the service and collection of payment may be lengthy (and in excess of thirty days).	Each department that issues invoices should forward them to the accounts receivable department daily in order to reduce the span of time between providing the service and cash collection.	Recommendation accepted. All departments will be requested to forward their invoices to Treasury on a daily basis.
Accounts Receivable - Collectibility The allowance for doubtful accounts on recorded accounts receivable is not reviewed on a regular basis to assess its adequacy.	On a regular basis the recorded accounts receivable should be reviewed by management and an accurate allowance for those that are deemed to be uncollectible should be recorded.	Recommendation accepted. While Allowances for Doubtful Accounts were recorded at year end, a procedure will be implemented requiring a quarterly review of problem accounts along with any required adjustment to the Allowance for Doubtful Accounts balance.

OBSERVATION OF EXISTING SYSTEM	RECOMMENDATIONS FOR STRENGTHENING SYSTEM	MANAGEMENT COMMENTS
Metered Water Arrears Weaknesses Noted in 1994 for the First Time Any metered water arrears are added to the tax rolls from information provided by the Region. The City records the receivable as part of taxes receivable and an offsetting payable to the Region. At year end, the City showed a payable to the Region in the amount of $ 148,358. Our confirmation with the Region indicated that they have recorded a receivable from the City of $ 391,974.	Although the difference is not significant for audit purposes, there should be a reconciliation between the City and the Region done regularly throughout the year.	Recommendation accepted. On a quarterly basis staff will contact the Region and attempt to resolve any discrepancies in the recorded balances.

OBSERVATION OF EXISTING SYSTEM	RECOMMENDATIONS FOR STRENGTHENING SYSTEM	MANAGEMENT COMMENTS
Prelevy for Locals Weaknesses Noted in 1994 for the First Time Commutations paid by homeowners are grouped into one account (prelevy) and are amortized over the term of the debt charges incurred to finance the local improvement.	Since the computer system has a subledger function, the commutations would be better controlled if they were recorded separately in the subledger. They should then be matched to the outstanding local improvement debt to ensure that related revenues and expenses are properly matched.	Recommendation accepted. Staff will investigate the most efficient method to implement this recommendation.

OBSERVATION OF EXISTING SYSTEM	RECOMMENDATIONS FOR STRENGTHENING SYSTEM	MANAGEMENT COMMENTS
Investments		
Weaknesses Noted in 1994 for the First Time		
Two Ontario Hydro bonds held by the Care and Maintenance Trust Fund were called in February 1994. This fact was not noticed until the bonds' normal maturity date in September 1994. As a result, the Trust Fund was not earning any interest on its investment for a period of time.	At this time there is a relatively small number of investments which may encounter similar circumstances. All investments should be flagged for upcoming maturities and management should act accordingly to ensure that all cash is properly invested to earn maximum income. The investments should also be reviewed regularly for any that have been called before the normal maturity date.	Recommendation accepted. The custodial arrangement that has recently been made with the CIBC ensures that, should this occur, the City would be reimbursed by the CIBC.

OBSERVATION OF EXISTING SYSTEM	RECOMMENDATIONS FOR STRENGTHENING SYSTEM	MANAGEMENT COMMENTS
Trust Fund Bank Accounts Weaknesses Noted in 1994 for the First Time Each major trust fund has its own bank account with the Canadian Imperial Bank of Commerce. These accounts serve very little purpose as daily cash receipts are deposited and recorded in the City's general bank account and disbursements are paid via cheques of the general bank account. The entries recorded by the City which relate to the trust funds are journalized after they have occurred.	Unless there is some legislated reason why the trust funds should have separate bank accounts, we recommend that they be closed out. The daily receipts and disbursements can continue to be recorded through the City's general bank account. Entries to reallocate the transactions to the trust fund accounts should be done monthly.	Recommendation partially accepted. Some of the bank accounts in question exist due to legislative requirements. A review of Reserves and Reserve Funds will be conducted and will address trust funds. Any bank accounts that are deemed unnecessary, as a result of this review, will be closed.

OBSERVATION OF EXISTING SYSTEM	RECOMMENDATIONS FOR STRENGTHENING SYSTEM	MANAGEMENT COMMENTS
Parking Authority		
Weaknesses Noted in 1994 for the First Time		
Lots #71 (77 Mary Street - rented from the Region) and #78 (Theatre Aquarius) both had their leases expire in November 1994. Per discussion with Parking Authority staff, neither lease has been renewed. The Theatre Aquarius lease has a provision to allow the tenant to extend the term to 1997; however, per discussion with Parking Authority staff, this option has not yet been exercised. There is no such option in the Mary Street lease.	The Parking Authority should communicate to Theatre Aquarius, its intention to accept the extension of the original lease and renegotiate/renew its lease with the Region for Lot #71. As well, a regular review should be made of other leases in place so that the end of the lease term is not missed.	Recommendation accepted. Hamilton Parking Authority staff had begun the process of renewing the leases prior to receipt of this memo and the leases should be finalized in the near future.
Without a written lease, the landlord may opt to lease to another party which will cause lost revenues on two productive lots. In addition, the rent being currently paid (which is the same amount as the original lease) may not continue at the current rate without a specified agreement.		

OBSERVATION OF EXISTING SYSTEM	RECOMMENDATIONS FOR STRENGTHENING SYSTEM	MANAGEMENT COMMENTS
Hamilton Housing		
Weaknesses Noted in 1994 for the First Time		
There is a receivable amount on the books which has been outstanding for over a year. Per our discussion with the property manager this person has left without a trace and the amount is uncollectible. The Board must approve an account to be written off before it can be removed from receivables.	The receivable listings should be reviewed with the property manager on an ongoing basis (for example, once every six months) and any that are uncollectible should be taken to the Board to be approved for write off. Management should take a more active role in the writing off of bad debts.	Recommendation accepted. While this recommended practice is generally followed, staff will initiate a procedure that requires semi-annual reviews of every rent receivable account with the property manager and calls for any appropriate action deemed necessary.

OBSERVATION OF EXISTING SYSTEM	RECOMMENDATIONS FOR STRENGTHENING SYSTEM	MANAGEMENT COMMENTS
Cheque Requisition Weaknesses Noted In 1994 for the First Time An instance was noted where a cheque requisition was signed for the department head by others using his name. Only department heads and their delegates are authorized to approve expenditures. If others are approving expenditures there is the possibility of the payment of non-authorized expenditures with the City's funds.	Only department heads should be authorized to sign cheque requisitions for payment. Others should not be able to use their name for processing of payments. The accounts payable department should also review for such deviation from the rules and should follow up accordingly.	Recommendation partially accepted. While it is agreed that staff members should not sign someone else's name when approving invoices/cheque requisitions for payment, we know of no instance where someone has signed a Department Head's name. We are aware of two instances where one staff member has signed a cheque requisition using another's name, but in both of these cases the item in question was actually within the authorized approval limit of the original staff member. The Accounts Payable section will review invoices and cheque requisitions for deviations and follow up on any noted. As well, the section involved has been contacted to ensure that staff do not sign others' names and all Departments will receive a letter to ensure that this incident will not reoccur.

OBSERVATION OF EXISTING SYSTEM	RECOMMENDATIONS FOR STRENGTHENING SYSTEM	MANAGEMENT COMMENTS
Responsibility for Financial Statements Weaknesses Noted in 1994 for the First Time At the present time, responsibility for the various financial statements is spread among various people. This can lead to unintended differences in accounts between the City and related entities. In addition, this can make obtaining information needed for audit purposes difficult. For example, we encountered significant difficulties in obtaining information from the Parking Authority as they were not fully aware of the items included in their accounts.	We recommend that one individual be charged with overall responsibility for the financial statements of the City and related entities (excepting HECFI).	Recommendation accepted in principle. The Accounting Supervisor has the responsibility for preparing the City's financial statements. In 1995, steps will be taken to ensure that communication and co-ordination with other City related entities is improved and to ensure that other entities are conversant with the items included in their accounts.

4. (b.)

CITY OF HAMILTON

- INFORMATION -

DATE: 1995 June 30

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Art Gallery of Hamilton - Request Private Member's Bill/ relief from taxes

BACKGROUND:

Attached is a copy of a letter dated April 26, 1995 from Mr. Ted Pietrzak, Executive Director of the Art Gallery of Hamilton, requesting that the City consider support of a Private Members Bill which would provide the Gallery with future tax exempt status. The Art Gallery is a privately operated non-profit organization. They own the building where the gallery is located and are subject to annual property taxes as a result.

Taxes and Municipal Grants

- The Region has provided the Art Gallery with annual operating grants since prior to 1977. This funding is used to finance their operations and to fully offset their annual property taxes.

- In 1994, the Region approved an operating grant of $910,219 to this organization. The 1994 portion of the overall grant from the Region applicable to taxes amounted to $367,019.

- The 1995 taxes levied against this property amounted to $377,370 and there are no outstanding tax arrears.

Status of Proposal

The Regional Finance Committee considered the Art Gallery's request at a meeting held on 1995 May 10 and recommended to Regional Council that the initiative of the Art Gallery of Hamilton to approach the Government of the Province of Ontario for relief from municipal taxes be supported.This recommendation was approved by Regional Council on 1995 May 16.

Using 1994 figures, from the Region's perspective, if the tax relief for future years is granted and the operating grant for taxes is discontinued, the Region would save $367,019 in grants but would lose their share of the annual tax revenue of $99,000 based on their percentage of the current tax levy (27% of $367,019). In other words there would be a net savings to the Region of $268,019 annually.

Analysis of City's Position

The proposal to exempt the Art Gallery from future taxes would represent an annual loss in taxation revenues of $91,755 (25% of tax levy) and $176,170 (48% of tax levy) respectively to the City and Boards of Education.

The overall impact of the exemption on the Hamilton taxpayers would be a net loss of $105,860 annually which is comprised of the gross tax revenue loss of $367,019 and assuming the tax grant would be discontinued, a saving of $261,160 representing the City's share of the Regional grant based on the levy percentage apportionment of 71.157%.

Summary of Alternatives

#1

Not support the request for future tax exempt status which would mean that the Hamilton taxpayers, assuming the Region continued to provide the tax grant, would continue to receive the benefit of the taxation revenues of $367,019 but only have to finance $ 261,160 of this grant (71.157%) due to the levy percentage apportionment.

#2

Support the request of the Art Gallery for a Private Member's Bill which would grant them future tax exempt status subject to certain conditions such as

a) an exemption only while the Art Gallery continues to be operated as an Art Gallery,
b) a limit on the number of years for the exemption within which the organization will become financially responsible, and
c) any other limitation or specific criteria to justify and restrict the future application to other service organizations in the community

The above action will result in a net loss to Hamilton taxpayers of $105,860 annually as stated previously resulting from a gross tax revenue loss of $367,019 and a saving of only $261,160 representing the City's share of the Regional grant.

Conclusion

- Supporting future exempt status for this particular organization results in an annual loss in taxation revenues to the City at a time when the assessment base is being eroded through major industrial and other assessment appeals.

- This decision could be seen as a precedent setting decision applicable to any future requests by not for profit organizations for tax exempt status.

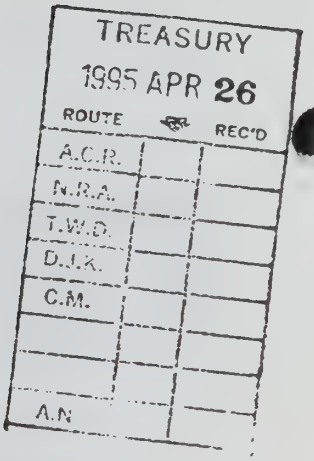
It should be noted that the passage of a Private Member's Bill requires the support of all of the tax levying bodies. For your information, staff have been advised that the Trustees of the Board of Education will not be dealing with this issue until September 1995.

Allan C. Ross
per T. Law

Att'd

c.c. J.G. Pavelka, Chief Administrative Officer
P. Noé Johnson, City Solicitor

ART GALLERY OF HAMILTON



April 26, 1995

Mr. Allan Ross
Treasurer
The Corporation of the City of Hamilton
City Hall
Hamilton, Ontario

Dear ~~Mr. Ross~~ Allan

The Art Gallery of Hamilton's payment of property taxes, although fully funded by the Region of Hamilton-Wentworth, is inconsistent with the treatment of other public art galleries in the country. The Art Gallery of Hamilton is, in fact, the only major public art gallery in Canada to pay property tax.

In order to rectify this situation, the Board of Directors of the Gallery have resolved to seek property tax exemption status for the Gallery. In order to achieve tax exempt status, the Gallery requires a Private Members' Bill to be presented on its behalf to the legislature of the Government of the Province of Ontario. The Ministry of Revenue requires a motion from City Council indicating their support for this Private Members' bill.

We are asking for the City's support in this endeavour. I understand that a similar request from Theatre Aquarius will be discussed at a Regional Finance Committee meeting on May 10th. I hope that our request can be dealt with at the same time and, if appropriate, that we be permitted to make a presentation at this meeting.

123 King Street West,
Hamilton, Ontario,
Canada L8P 4S8
Tel: (905) 527-6
Fax: (905) 577-

Sincerely

Ted Pietrzak
Executive Director

cc. Jim Bruzzese, Acting Treasurer and Commissioner of Finance, Regional Municipality of Hamilton-Wentworth

4.(c.)

CITY OF HAMILTON

- INFORMATION -

DATE: 1995 June 30

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Theatre Aquarius - Request
Private Member's Bill/ relief from taxes

BACKGROUND:

At its meeting held on April 4, 1995, the Finance and Administration Committee approved the following:

(a) That the request on behalf of Theatre Aquarius for the City's support for a Private Member's Bill for elimination of municipal taxes and tax arrears on their Theatre property, be received; and,

(b) That staff be directed to prepare a report to the Finance and Administration Committee regarding this request.

A delegation from the Theatre Aquarius Board of Directors appeared before the Finance and Administration Committee and requested support from the City for a Private Member's Bill which would provide them with

(a) relief from future property taxes and,

(b) the cancellation of tax arrears, penalties and interest which had accumulated on the property since January 1, 1992.

The delegation submitted a brief outlining the details of the organization and its' financial situation and advised the Committee that a similar request for support would be made to the Region and the Board of Education. The Committee received this information and a joint report from the City Treasurer and the City Solicitor recommending an analysis by staff of the Organization's request including a financial summary of taxes and the legal process.

DISCUSSION:

Taxes and Municipal Grants

- Theatre Aquarius has owned the land where the DuMaurier Theatre is situated since September 1991.

- They received an operating grant from the City that year in the amount of $43,000. Subsequent annual operating grants were approved by the Region and amounted to $105,000 in 1992, $101,850 in 1993 and $101,850 in 1994.

- Realty taxes levied for 1995 amount to approximately $167,000. Tax arrears on the property for the years 1992-1995 inclusive amount to $720,460 with a further instalment of $43,430 due on September 30, 1995. This will bring the total amount owing to $ 763,890 not including any further penalty and interest charges which are accumulating at a rate of approximately 13% annually or $6,550 per month.

- Upon 3 years tax arrears, the property is subject to registration. If taxes remain outstanding for a further year, the property may be sold for tax arrears. At the present time, the property is in arrears for more than 3 years, but has not yet been registered.

Status of Proposal

The Regional Finance Committee considered the Theatre Aquarius request at a meeting held on 1995 May 10 and recommended to Regional Council that relief from **future taxes** be supported but that Theatre Aquarius submit to the Region a repayment plan to resolve the current property tax arrears. These recommendations were approved by Regional Council on 1995 May 16.

From the Region's perspective, if the tax relief for future years is granted and the operating grant which is basically for taxes is discontinued, the Region would save $101,850 in grants but would lose their share of the annual tax revenue in the amount of $45,000 based on their percentage of the current tax levy (27% of $167,000). In other words there would be a net savings to the Region of approximately $57,000 annually.

Analysis of City's Position

The proposal to exempt Theatre Aquarius from future taxes would represent an annual loss in taxation revenues of $42,000 (25% of tax levy) and $80,000 (48% of tax levy) respectively to the City and Boards of Education.

The overall impact of the exemption on the Hamilton taxpayers would be a net loss of $94,527 annually which is comprised of the gross tax revenue loss of $167,000 and assuming the tax grant would be discontinued, a savings of $72,473 representing the City's share of the Regional grant based on the levy percentage apportionment of 71.157%.

If the taxes currently levied including penalties and interest accumulated to date, are cancelled, it would result in a direct chargeback of approximately $191,000 to the City, $206,000 to the Region and $367,000 to the Board of Education based on current % of levy.

The Region has not supported the proposal for cancellation of taxes due and payable, including penalties and interest accumulated to date. The Region has also requested Theatre Aquarius to prepare a financing plan to resolve this issue. The taxes on the property are in excess of three years in arrears and although the property has been subject to tax registration procedures since January 1995 in accordance with the Legislation, the City has taken no action in this regard to date.

Summary of Alternatives

1

Not support the request for either future tax exempt status or for cancellation of prior years arrears of taxes. The City, as tax collector for all three recipients of property taxes, would eventually proceed with tax registration procedures in accordance with the Legislation if an acceptable payment plan for these arrears could not be arranged.

2

(a) Future Tax Status: Support the request for a Private Member's Bill for future tax exempt status subject to similar conditions indicated below resulting in a revenue loss to the City of approximately $42,000 annually.

(b) Tax Arrears: Not support the request for cancellation of the tax arrears, penalties and interest which has accumulated on the property to date. Request Theatre Aquarius to submit to the City, for consideration, a copy of the proposed repayment plan requested by the Region to resolve the current property tax arrears, and avoid loss of the property due to tax sale.

3

Support the request of Theatre Aquarius for a Private Member's Bill which would grant them future tax exempt status subject to certain conditions such as:

a) an exemption only while the theatre continues to be operated as a theatre,
b) a limit on the number of years for the exemption within which the organization will become financially responsible, and
c) any other limitations or specific criteria to justify and restrict the future application to other service organizations in the community.

Support the cancellation of all realty tax arrears, penalties and interest which have accumulated on the property to date.

The above actions would result in an annual loss of revenues from taxation of approximately $42,000 to the City and a one time chargeback of $191,000 representing the City's share of the uncollected taxes which have accumulated over the years.

Conclusion

- Supporting future exempt status for this particular organization results in an annual loss in taxation revenues to the City at a time when the assessment base is being eroded through major industrial and other assessment appeals.

- This decision could be seen as a precedent setting decision applicable to any future requests by not for profit organizations for tax exempt status.

It should be noted that the passage of a Private Member's Bill requires the support of all of the tax levying bodies. For your information, staff have been advised that the Trustees of the Board of Education will not be dealing with this issue until September 1995.

Allan C. Ross
per T. Law.

c.c. J.G. Pavelka, Chief Administrative Officer
P. Noé Johnson, City Solicitor

4. (d.)

CITY OF HAMILTON

- RECOMMENDATION-

DATE: 1995 June 30

REPORT TO: S. K. Reeder, Secretary
Finance and Administration Committee

FROM: A. C. Ross
Treasurer

SUBJECT: City Purchase from The Hamilton-Wentworth Roman Catholic Separate School Board
141 Vittorito Avenue
Part 1, 62R-9776
Proposed St. Agnes Park

RECOMMENDATION:

a) That the purchase price of $800,000 for 141 Vittorito Avenue, as approved by Council 1995, June 27, Item 20 of the Fourteenth Report of the Parks and Recreation Committee be financed from the Reserve for Park Lands (5% Land Dedication) Account Centre #00201 and the 1995 Capital Budget Provision be amended accordingly; and,

b) That forecast Parkland Acquisition expenditures to be financed from this Reserve in 1996 and 1997 be reduced to offset this increase.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

With approval of this recommendation, it results in the depletion of the Reserve for Park Lands balances appropriated within the Capital Budget for 1995 as well as the planned provision of $400,000 for 1996 and commits $300,000 of the $400,000 planned for 1997. By advancing these appropriations, it is recommended that no other parkland acquisition expenditures be financed during this timeframe. The planned provision would be restored in 1998.

BACKGROUND:

At the 1995 June 27th, meeting of City Council the following resolution was passed:

(a) That an Option to Purchase, duly executed by the Hamilton-Wentworth Roman Catholic Separate School Board, on 1995 February 1 and scheduled to close on or before 1995 October 6, for the purchase of part of Lot 16A and part of Roxborough Avenue (closed by Judge's Order-Instrument 377436AB) on Registered Plan No. 772, which said lands are more particularly described as Part 1 on Reference Plan 62R-9776, and have a frontage along the northerly limit of Vittorito Avenue of 174.258 metres (571.713 feet) more or less, a flankage along the easterly limit of Prins Avenue of 193.895 metres (636.138 feet) more or less, containing an area of 3.355 hectares (8.29 acres) more or less, and known by the municipal address No. 141 Vittorito Avenue, be approved and completed; and,

(b) That, subject to the Finance and Administration Committee approving the recommendation of the City Treasurer, the purchase price of $800,000 plus GST if applicable, be financed from the Reserve for Park Lands (5% Land Dedication) Account Centre 00201; and,

(c) That it is a condition of this Option to Purchase that The Hamilton-Wentworth Roman Catholic Separate School Board shall obtain the approval of the Ministry of Education and Training on or before 1995 September 29, failing which this option is null and void; and,

(d) That it is a condition of this Option to Purchase that the City may obtain a soils test which shall indicate that the property is free of environmentally dangerous material on or before 1995 September 29, failing which, this Option is null and void. If the City does not notify the owner by the applicable date, the City shall be taken to have irrevocably waived the condition; and,

(e) That as consideration in the amount of $2. has been paid to the owner pursuant to the agreement, this amount be deducted from the purchase price; and,

(f) That it is understood and agreed by the parties that the City shall pay one half of the purchase price, namely Four Hundred Thousand ($400,000), on the closing date, 1995 October 6. The balance of the purchase price, Four Hundred Thousand ($400,000), shall be paid by the City, without interest, on 1996 January 4; and,

.../3

(g) That the Director of Property be authorized and directed to obtain a Phase 2 Environmental Assessment from a qualified environmental consulting engineer at a cost not to exceed $10,000 should preliminary site investigation indicate risk of environmental hazard; and,

(h) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

The details of the recommended purchase of this parkland are outlined in the attached Appendix "A" report from D. W. Vyce, Director of Property, dated 1995 June 20th.

DISCUSSION:

The 1995-2004 Capital Budget and Forecast includes a provision for the acquisition of park lands in the gross amount of $3.7 million over the ten years. It is a multi-year plan for the provision of parkland purchases, funded from the Reserve for Park Lands. The balances from that Reserve are expended for three programs; Hamilton Playstructure Development, Park Development and Redevelopment and Priority Parkland Acquisition.

Attached hereto as Appendix "B" is a 10 year projection of the Analysis of Reserve for 5% Park Lands reflecting the budgeted and forecast appropriations. The projection demonstrates that balances within this Reserve will be depleted significantly over the next few years, reaching a low of $381,000 in 1999. It should also be noted that there exists a contingent liability for the City's parkland credit balance (i.e. excess of 5% land dedication - 13.06 acres) estimated at $1.2 to $1.4 million. Therefore maintaining the reserve balance in excess of these contingent liabilities is recommended.

Appendix "C" shows the projection revised to reflect the $800,000 expenditure for St. Agnes in 1995, and offsetting reductions to the planned expenditures in 1996 and 1997. The 1996 provision is reduced to $0, while the 1997 provision is reduced from $400,000 to $100,000 to allow the St. Agnes expenditure to be accommodated within the overall funding provision.

The revised plan is necessary to stay within the financial parameters ($3.7 million allocation over the 10 years) for the Reserve for 5% Park Lands incorporated in the Capital Forecast as approved by Council on 1995, April 6.

ACR/cs

cc: Alderman F. Eisenberger, Alderman, Ward 5
J. Pavelka, Chief Administrative Officer
D. Vyce, Director, Property Department
D. Lobo, Director, Public Works/Traffic Department
P. Noé Johnson, City Solicitor
R. Fair, Director, Culture and Recreation
B. Chrystian, Manager of Parks
Capital Budget Sub-Committee Members

CITY OF HAMILTON

- INFORMATION -

DATE: 1995 June 14

REPORT TO: Kevin C. Christenson, Secretary
Parks and Recreation Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: City Purchase from The Hamilton-Wentworth Roman Catholic Separate School Board
141 Vittorito Avenue
Part 1, 62R-9776
Proposed St. Agnes Park

BACKGROUND:

At the 1994 February 9 meeting of the Parks and Recreation Committee, the Property Department was directed to investigate and report back with the cost of purchasing an 8.33 acre parcel of vacant land south of St. Agnes School from The Hamilton-Wentworth Separate School Board.

An information report was sent to the 1994 May 24 meeting of the Parks and Recreation Committee advising that the lands had been valued at $955,000 and requesting direction from the Committee to pursue negotiations with the Board given the budgetary shortfall and the lack of a parkland designation for the site in the Secondary Plan.

Staff were directed to pursue the acquisition and obtained an Option to Purchase executed by the Separate School Board in the amount of $800,000, with the City responsible for payment of GST, if applicable. It has been agreed by the parties that the City shall pay one half of the purchase price, ($400,000), on the closing date on 1995 October 6, with the balance of the purchase price ($400,000) to be paid, without interest, on 1996 January 4.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The 1995 Capital Budget includes a provision for the acquisition of park lands in the gross amount of $143,000. In 1994 Council authorized the acquisition of land for park purposes amounting to $657,000 which was beyond the $400,000 allocation for 1994. The excess funding of $257,000 was deducted from the 1995 provision ($400,000 less $257,000). The available 1995 amount for parkland acquisition has been further reduced by the allocation of $43,000 for play structures, leaving an uncommitted amount of $100,000 for 1995 purchases.

The staff Capital Budget Committee met on 1995 June 12 and recommended that the City not purchase the subject lands because it will deplete the reserve for parkland acquisition for the balance of 1995 as well as 1996 and 1997 in order to stay within the funding allocation available from the Reserve for Park Lands (5% Land Dedication).

It should be pointed out however that if we do not purchase this land at this time, it will no doubt be sold on the open market for residential housing purposes. The City's opportunity to purchase the land at an economic cost would be lost.

Furthermore, the Riverdale East Neighbourhood has a shortfall of parkland of 2.95 hectares or 7.29 acres. The acquisition of the Separate School Board property would eliminate the shortfall and satisfy the Official Plan Standards. If the land is not purchased but developed for residential purposes the shortfall of park space would be worsened.

In terms of priority, the need for parklands in a neighbourhood shifts from time to time due to availability of the lands and lost opportunity if the land is not purchased. This is the case in the current instance. In this context, this site could be considered as a priority for acquisition.

CONCLUSION:

Should the Committee wish to purchase the subject parkland the following recommendations should be approved:

(a) That an Option to Purchase, duly executed by The Hamilton-Wentworth Roman Catholic Separate School Board, on 1995 February 1 and scheduled to close on or before 1995 October 6, for the purchase of part of Lot 16A and part of Roxborough Avenue (closed by Judge's Order-Instrument 377436AB) on Registered Plan No. 772, which said lands are more particularly described as Part 1 on Reference Plan 62R-9776, and have a frontage along the northerly limit of Vittorito Avenue of 174.258 metres (571.713 feet) more or less, a flankage along the easterly limit of Prins Avenue of 193.895 metres (636.138 feet) more or less, containing an area of 3.355 hectares (8.29 acres) more or less, and known by the municipal address 141 Vittorito Avenue, be approved and completed;

(b) That, subject to the Finance and Administration Committee approving the recommendation of the City Treasurer, the purchase price of $800,000, plus GST if applicable, be financed from the Reserve for Park Lands (5% Land Dedication) Account Centre 00201;

(c) That it is a condition of this Option to Purchase that The Hamilton-Wentworth Roman Catholic Separate School Board shall obtain the approval of the Ministry of Eduction and Training on or before 1995 September 29, failing which this option is null and void;

(d) That it is a condition of this Option to Purchase that the City may obtain a soils test which shall indicate that the property is free of environmentally dangerous material on or before 1995 September 29, failing which, this Option is null and void. If the City does not notify the owner by the applicable date, the City shall be taken to have irrevocably waived the condition;

(e) That as consideration in the amount of $2 has been paid to the owner pursuant to the agreement, this amount be deducted from the purchase price; and,

(f) That it is understood and agreed by the parties that the City shall pay one half of the purchase price, namely Four Hundred Thousand ($400,000), on the closing date, 1995 October 6. The balance of the purchase price, Four Hundred Thousand ($400,000), shall be paid by the City, without interest, on 1996 January 4.

(g) That the Director of Property be authorized and directed to obtain a Phase 2 Environmental Assessment from a qualified environmental consulting engineer at a cost not to exceed $10,000 should preliminary site investigation indicate risk of environmental hazard;

(h) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

RAB/nw

c.c. Alderman D. Agostino, Alderman, Ward 5

Alderman Fred Eisenberger, Alderman, Ward 5

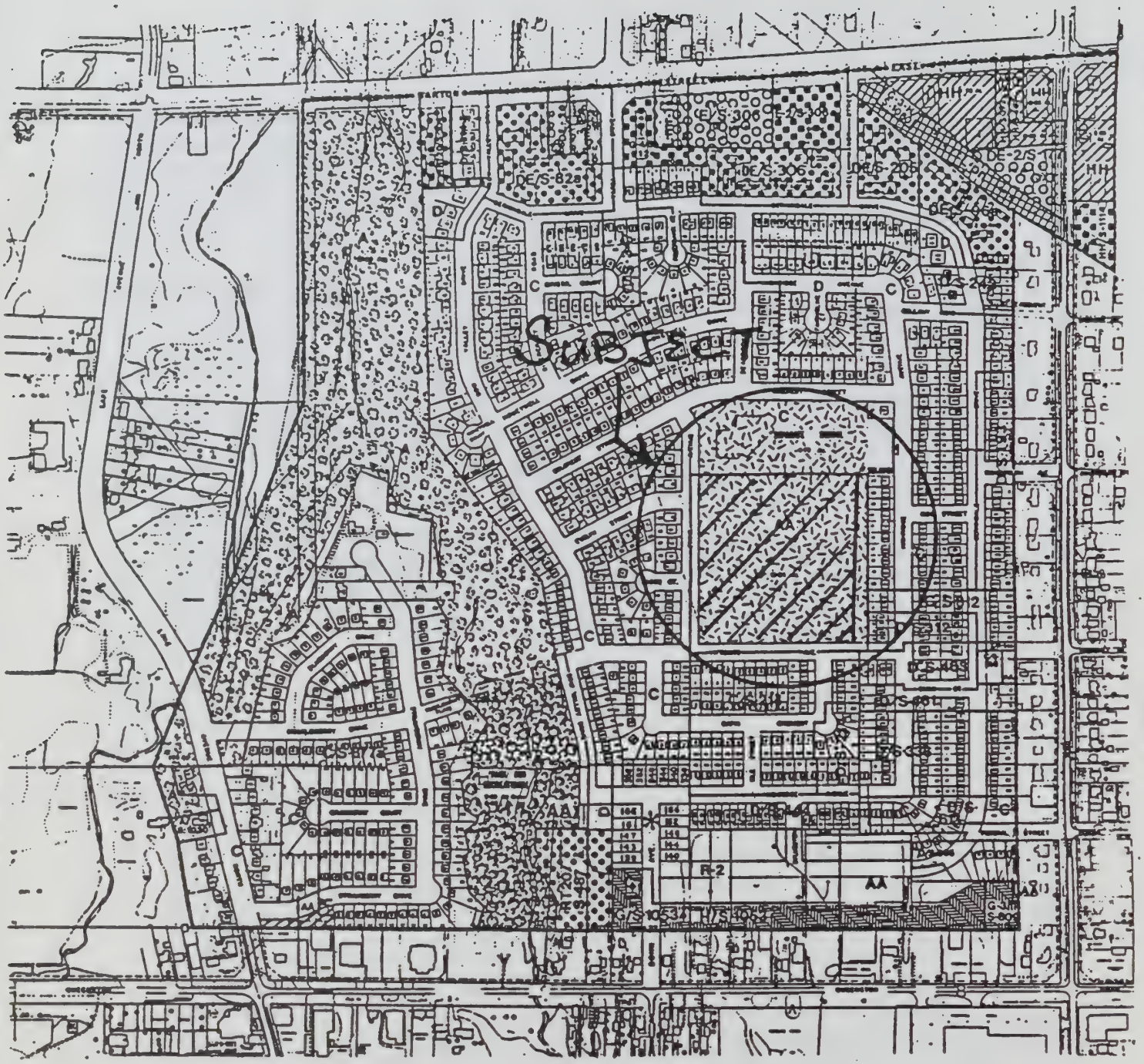
Joe Pavelka, Chief Administrative Officer

P. Noé Johnson, City Solicitor

Allan C. Ross, Treasurer

B. Chrystian, Manager of Parks

C. Bandurka, Property Clerk, Surveys, Roads Department



NOTE: This is a GUIDE PLAN only and is subject to change. For details contact the local planning division of the Regional Municipality of Hamilton-Wentworth.

◆ NON HIGHWAY COMMERCIAL

-including neighbourhood commercial e.g. convenience stores and community commercial but excluding restaurants or refreshments rooms, laundry or dry cleaning establishments and storage garages.

* NOTE:
Item 23 of the seventieth report of the transport & environment committe which was adopted by city council at its meeting held Tuesday, December 11, 1984.

EXISTING POPULATION (1985) 3407

LAND USE

RESIDENTIAL
- single & double
- attached housing
- low density apartments
- medium density apartments
- high density apartments
- commercial & apartments

COMMERCIAL
INDUSTRIAL
CIVIC & INSTITUTIONAL
PARK & RECREATIONAL
OPEN SPACE
UTILITIES
COMMERCIAL - SPECIAL PROVISIONS

Neighbourhood Boundary
Zoning Boundary

Approvals
Planning Committee [illegible] Council JULY 28, 1986
Latest Revision Date MARCH 14, 1986

CITY OF HAMILTON
PLANNING DEPARTMENT

RIVERDALE EAST
APPROVED PLAN

SCALE

114

THE CORPORATION OF THE CITY OF HAMILTON

Appendix B

ANALYSIS OF RESERVE FOR 5% PARK LANDS

PERIOD 1995–2004

DESCRIPTION (1)	1995 (2)	1996 (3)	1997 (4)	1998 (5)	1999 (6)	2000 (7)	2001 (8)	2002 (9)	2003 (10)	2004 (11)
OPENING BALANCE AS AT JANUARY 1, 1995	3,151,623	3,029,054	2,340,507	1,617,532	963,409	381,579	505,658	635,941	772,738	916,375
REVENUE										
5% LAND DEDICATION RESIDENTIAL SUB–DIVISION:										
– ESTIMATED AMOUNT EXPECTED TO RECEIVE	400,000	400,000	400,000	500,000	600,000	600,000	600,000	600,000	600,000	600,000
PROCEEDS FROM SALE OF LAND	290,000									
AVAILABILITY OF FUNDING FROM NEW LOT LEVY										
ALLOCATION – RESERVE FOR DEVELOPMENT CHARGES										
INTEREST INCOME	130,431	111,453	77,025	45,877	18,170	24,079	30,283	36,797	43,637	50,819
SUB–TOTAL	820,431	511,453	477,025	545,877	618,170	624,079	630,283	636,797	643,637	650,819
EXPENDITURE										
HAMILTON PLAY STRUCTURE DEVELOPMENT (4)	243,000	200,000	200,000	200,000	200,000	100,000	100,000	100,000	100,000	100,000
PARK DEVELOPMENT AND REDEVELOPMENT (5)	600,000	600,000	600,000	600,000	600,000					
PRIORITY PARK LAND ACQUISITION										
AND PAYMENT OF PARKS CREDIT:										
– ESTIMATED AMOUNT EXPECTED TO BE SPENT	100,000	400,000	400,000	400,000	400,000	400,000	400,000	400,000	400,000	400,000
SUB–TOTAL	943,000	1,200,000	1,200,000	1,200,000	1,200,000	500,000	500,000	500,000	500,000	500,000
CLOSING BALANCE AS AT DECEMBER 31	3,029,054	2,340,507	1,617,532	963,409	381,579	505,658	635,941	772,738	916,375	1,067,194

THE CORPORATION OF THE CITY OF HAMILTON

Appendix C

ANALYSIS OF RESERVE FOR 5% PARK LANDS

PERIOD 1995–2004

DESCRIPTION (1)	1995 (2)	1996 (3)	1997 (4)	1998 (5)	1999 (6)	2000 (7)	2001 (8)	2002 (9)	2003 (10)	2004 (11)
OPENING BALANCE AS AT JANUARY 1, 1995	3,151,623	2,294,054	1,988,757	1,563,195	906,355	321,673	442,757	569,895	703,390	843,560
REVENUE										
5% LAND DEDICATION RESIDENTIAL SUB–DIVISION:										
– ESTIMATED AMOUNT EXPECTED TO RECEIVE	400,000	400,000	400,000	500,000	600,000	600,000	600,000	600,000	600,000	600,000
PROCEEDS FROM SALE OF LAND	290,000									
AVAILABILITY OF FUNDING FROM NEW LOT LEVY										
ALLOCATION – RESERVE FOR DEVELOPMENT CHARGES										
INTEREST INCOME	95,431	94,703	74,438	43,160	15,318	21,084	27,138	33,495	40,170	47,178
SUB–TOTAL	785,431	494,703	474,438	543,160	615,318	621,084	627,138	633,495	640,170	647,178
EXPENDITURE										
HAMILTON PLAY STRUCTURE DEVELOPMENT (4)	243,000	200,000	200,000	200,000	200,000	100,000	100,000	100,000	100,000	100,000
PARK DEVELOPMENT AND REDEVELOPMENT (5)	600,000	600,000	600,000	600,000	600,000					
PRIORITY PARK LAND ACQUISITION										
AND PAYMENT OF PARKS CREDIT:										
– ESTIMATED AMOUNT EXPECTED TO BE SPENT	800,000	0	100,000	400,000	400,000	400,000	400,000	400,000	400,000	400,000
SUB–TOTAL	1,643,000	800,000	900,000	1,200,000	1,200,000	500,000	500,000	500,000	500,000	500,000
CLOSING BALANCE AS AT DECEMBER 31	2,294,054	1,988,757	1,563,195	906,355	321,673	442,757	569,895	703,390	843,560	990,738

6. (a.)

CITY OF HAMILTON

- RECOMMENDATION -

JUN 2 5 1995

DATE: 1995 June 21

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Development of City owned lands
south/east corner of Stone Church Road East
and DiCenzo Drive, Hamilton

RECOMMENDATION:

(a) That approval be given to the Director of Property to proceed with the development and sale of three (3) single family building lots located on the south/east corner of Stone Church Road East and DiCenzo Drive; and,

(b) That all development costs (survey, grading plan, catch basin installation and servicing) in the estimated amount of $108,000 be charged to Account Centre 00102 (Reserve for Property Purchases).

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Funds in the estimated amount of $108,000 are available in Account Centre 00102 (Reserve of Property Purchases). Upon the eventual sale of the subject lots, after the expenditure of these funds for development costs, the City will realize a gross revenue estimated to be in the range of $150,000 to $160,000 which will be credited back to Account Centre 00102 (Reserve for Property Purchases).

BACKGROUND:

On 1995 January 10 City Council adopted Item 6 of the 2nd Report of the Finance and Administration Committee approving an exchange of lands between the City and John and Corrine Martin which would allow for the development of seven (7) single family lots in a co-operative fashion, with both parties being responsible for the disposal of their own lots and the pro rata share of development and servicing costs.

As the above noted land exchange was completed on 1995 May 18 both parties have been working together towards the development of their lots in preparation for their sale.

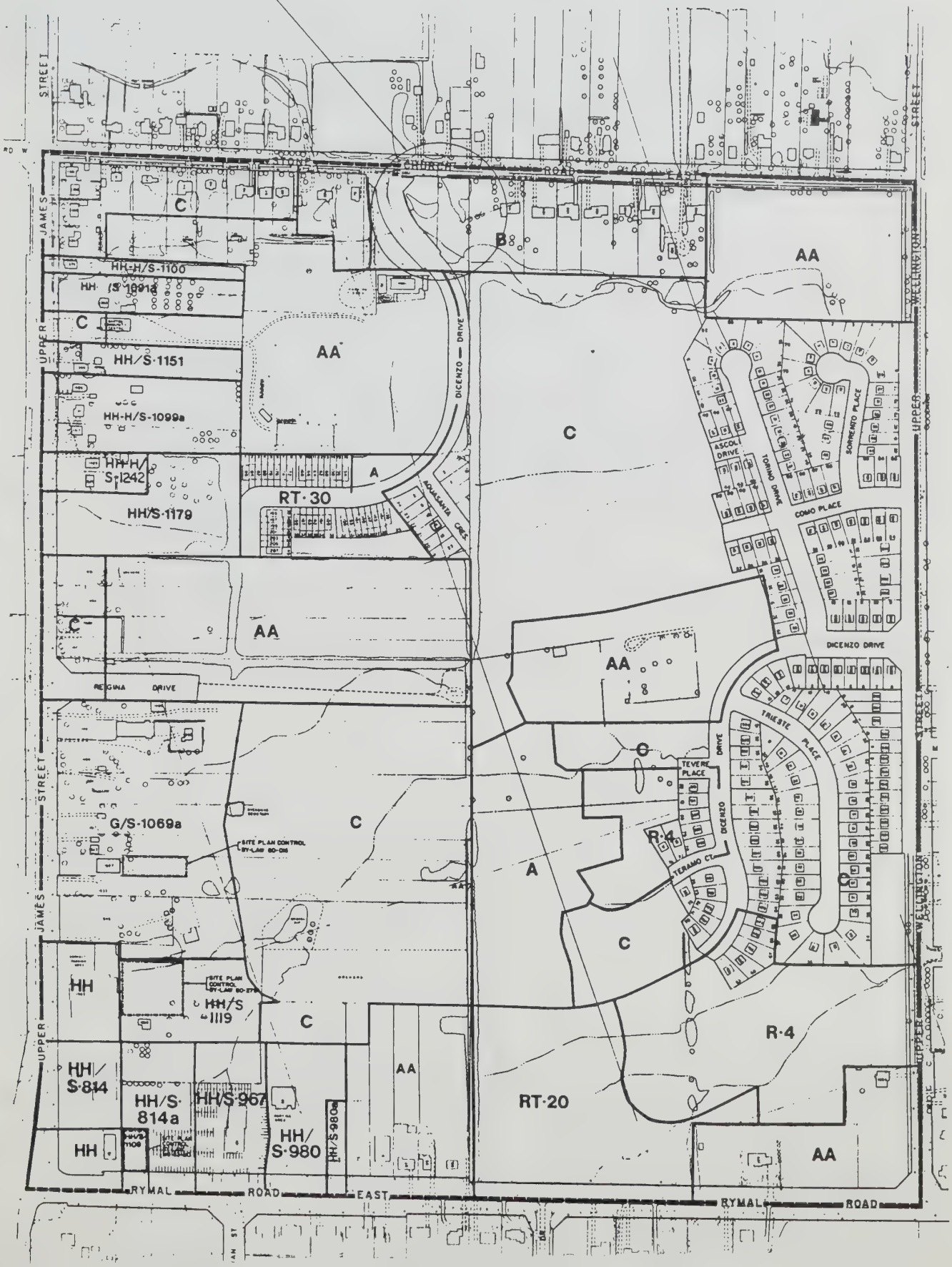
Consequently, in order for the City to complete this development stage, funds are required to pay the City's share of all development costs, which costs include but are not limited to all servicing requirements, survey, grading plan, catch basin, permits and advertising.

Upon the completion of the development of the City owned lots they will be offered to the public for sale through public tender.

KN/nw

c.c. Alderman H. Merling, Alderman, Ward 7
Alderman Terry Anderson, Alderman, Ward 7
Joe Pavelka, Chief Administrative Officer
P. Noé Johnson, City Solicitor
Allan C. Ross, Treasurer
L. King, Building Commissioner
E. Chajka, Manager of Road Development, Roads Department

(80.7.41)


Subject
N
JAMES STREET
UPPER JAMES STREET
UPPER WELLINGTON STREET
RYMAL ROAD EAST
RYMAL ROAD
DICENZO DRIVE
REGINA DRIVE
AQUASANTA CRES.
ASCOLI DRIVE
TORINO DRIVE
SORRENTO PLACE
COMO PLACE
TRIESTE PLACE
TEVERE PLACE
TERAMO CT.
HH-H/S-1100
HH/S-1151
HH-H/S-1099a
HH-H/S-1242
HH/S-1179
RT-30
G/S-1069a
SITE PLAN CONTROL BY-LAW 80-235
HH/S-1119
HH/S-814
HH/S-814a
HH/S-967
HH/S-980
HH/S-980a
RT-20
R-4
AA
A
B
C

6. (b.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 June 30

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Tax Arrear Sale
301 James Street North, Hamilton

RECOMMENDATION:

(a) That the Director of Property be authorized to submit a formal tender for the purchase of the property known as 301 James Street North, Hamilton at the sale of this property for tax arrears by the City Treasurer, the property is required in conjunction with the development of a municipal carpark at this site. The tender shall be on the prescribed form required by the Municipal Tax Sales Act; and,

(b) That the City Treasurer be authorized to issue a certified cheque for 20% of the tender amount as is required by the Municipal Tax Sales Act to be submitted with the tender application. The deposit cheque along with the remaining funds owed upon a successful tender bid be charged to Account No. CF 5698 909345006 (Land Acquisition - General).

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The purchase of this site, if successful, be charged to Account No. CF 5698 909345006 (Land Acquisition - General).

BACKGROUND:

The Parking Authority of the City of Hamilton has requested the Property Department to acquire the subject property (along with the abutting property at 299 James Street North) in order to create a municipal carpark site which is presently required in this neighbourhood.

On 1995 June 22 this department was informed by the City Treasury Department that the subject property is to be advertised for public sale by tender process. As it is a statutory requirement of the Municipal Tax Sales Act 1984 that a resolution by Council is required to authorize the municipality to bid on a tax arrear property as set out in Section 9(8):

> "That Council of the Municipality to which the tax arrears are owed may by resolution authorize the municipality to bid at or submit a tender in a public sale conducted under this section if the municipality requires the land for a municipal purpose".

No dollar amount has been included in this recommendation in order to protect the City's interest, in the event that an outside party were to have knowledge of the City's offer, they could out bid the City by a nominal amount.

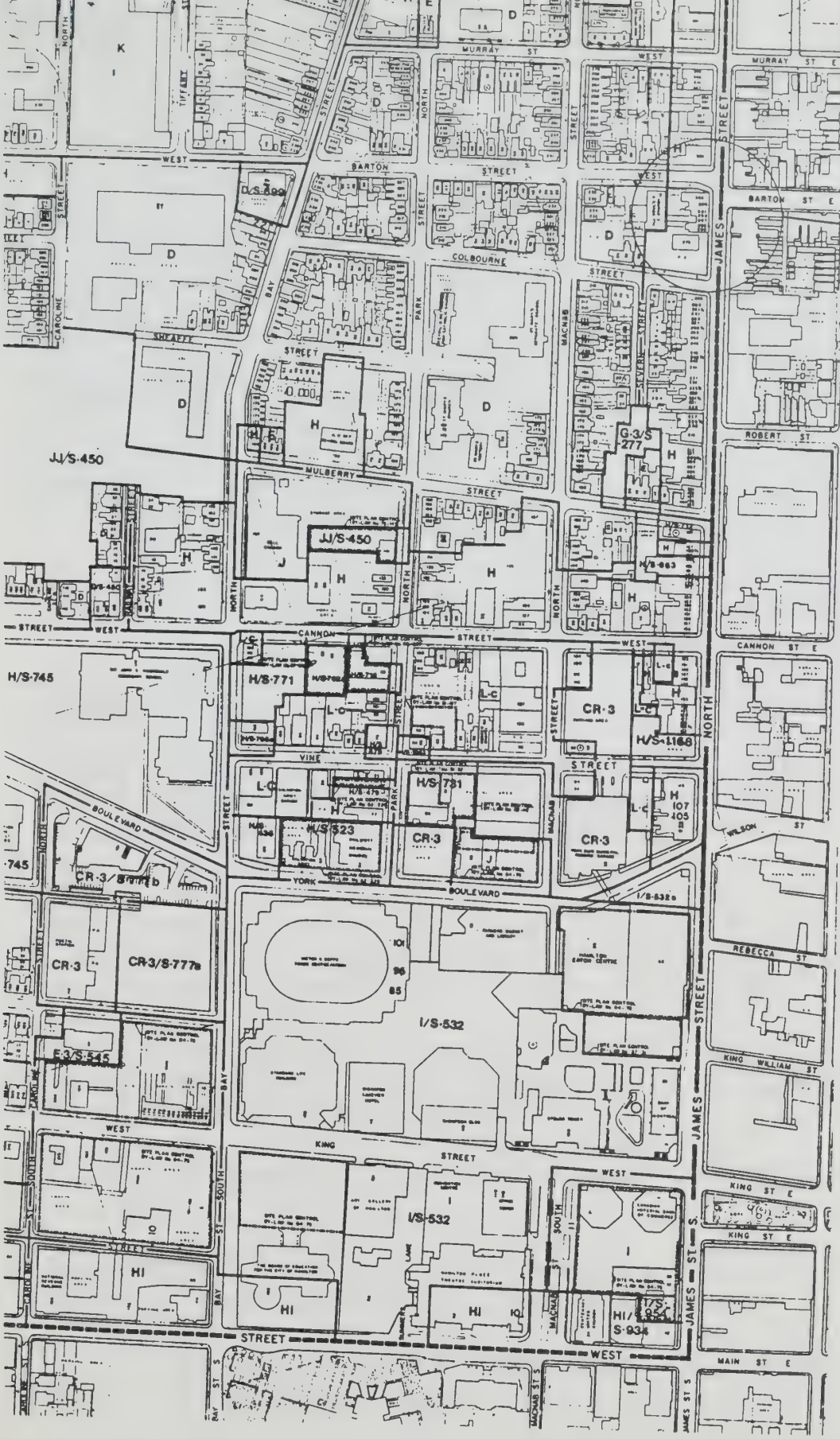
KN/nw

c.c. P. Noé Johnson, City Solicitor

Allan C. Ross, Treasurer

C. Bandurka, Property Clerk, Surveys

(94C-42)



All Lands Within This Neighbourhood Is Subject To Site Plan Control By-law No. 90-285.

	40 107 106 127 21 10	CITY OF HAMILTON

6.(c.)

CITY OF HAMILTON

- INFORMATION -

DATE: 1995 June 27

JUN 2 8 1995

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Request by Hamilton Habitat for Humanity for a City Lot (11 Arthur Avenue South - Tax Sale Property)

BACKGROUND:

Further to the presentation by Mr. Norm Westbury of Hamilton Habitat for Humanity at the 1995 June 20 meeting of the Finance and Administration Committee, the Property Department was requested to bring an information report on the status of vacant lot known as 11 Arthur Avenue South.

The lot has vested in the City's name recently as there were no offers received through the Tax Sale system. It was originally used as a parking lot for the El Greco Steak House and is currently zoned G-3 (Public Parking) with a lot size of 27 feet x 123.79 feet.

Outstanding realty taxes in the amount of $18,349.32 have been deleted from the tax roll and charged to the Reserve for Property Purchases. The lot has an estimated market value of $19,000 to $20,000 if rezoned to residential.

A rezoning of the site to residential is required and this would take in the neighbourhood of 3 to 6 months.

The procedures in City's Realty Sales Procedural By-law 95-049 must be followed prior to this site being conveyed to any party and they are as follows:

(a) The site must be circulated to all City and Regional Departments to determine if it is required for municipal purposes.

(b) A report must be approved by Committee and City Council that the property is deemed surplus.

(c) An appraisal must be prepared to determine market value of the property being sold.

(d) Notice to the Public must be given in order that it is notified of the pending sale.

Prior to the presentation by the Hamilton Habitat for Humanity, the Property Department had already commenced an internal circularization in order to dispose of this site on the open market.

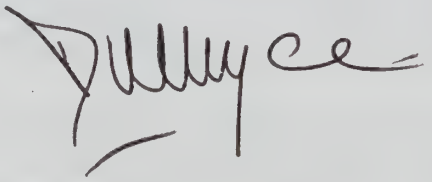
Finally, if it is the wishes of the Finance and Administration Committee to convey this site to this group for the sum of $1. then Treasury will be unable to recover the outstanding taxes which have been charged to the Reserve for Property Purchases.

CONCLUSION:

If the Finance and Administration Committee endorses the conveyance of this lot to this group then the following recommendation must be approved:

> "That the property known as 11 Arthur Avenue South be declared surplus to the requirements of the City in accordance with the Realty Sales Procedural By-law 95-049".

Subsequently, this department will proceed to prepare the necessary Offer to Purchase Agreement and appraisal as required under the aforementioned By-law 95-049.



MCJW/nw

c.c. Joe Pavelka, Chief Administrative Officer

P. Noé Johnson, City Solicitor

Allan C. Ross, Treasurer

7.

OFFICE OF THE CITY CLERK

MEMORANDUM

****

TO:	Susan K. Reeder, Secretary Finance and Administration Committee	YOUR FILE:	
FROM:	Mr. J. J. Schatz City Clerk Office of the City Clerk	OUR FILE: PHONE:	 546-2727
SUBJECT:	Referral Back - Award of Contract - Engine/Generator Supplier - Central Utilities Cogeneration Project	DATE:	1995 June 30

This will confirm that City Council, at its meeting held Tuesday, 1995 June 27th agreed to Refer Back Section 26 of the Seventeenth Report for 1995 of the Finance and Administration Committee respecting the Award of Contract - Engine/Generator Supplier - Central Utilities Cogeneration Project.

Would you please ensure that this matter is placed before the next meeting of the Finance and Administration Committee.

Susan K. Reeder

JJS/SKR

pr

J.J. Schatz.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 June 13

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Award of Contract - Engine/Generator Supplier
Central Utilities Cogeneration Project

RECOMMENDATION:

1. (a) That authorization be given to establish a purchase order in the amount of $3,649,427. inclusive of G.S.T. ($223,886.) for accounting purposes, only becoming effective upon execution of a formal Agreement, prepared by the City Solicitor, between the City and Toromont/Caterpillar of Concord, Ontario for the supply, installation and commissioning of two 3612 engine-generator sets with a nominal output of 2,100 kilowatts for the Central Utilities Cogeneration Plant, this being the lowest of three proposals received in accordance with the specifications issued by the Purchasing Division, Ref:C14-4-95; and,

   (b) That the Mayor and City Clerk be authorized and directed to execute the said Agreement on behalf of the City; and,

   (c) That the Agreement specify the various stages of engine construction completion at which particular amounts of the total money amount in (a) will be payable, as per a Schedule of payment to be agreed by the City and Toromont/Caterpillar; and,

   (d) That the Director of Property be authorized and directed to initiate negotiations with Toromont/Caterpillar for an extended maintenance agreement for the engine-generator sets; and,

App'd by Committee 1995 June 20.

App'd by Council referred back. 1995 Jul

(e) That as Toromont/Caterpillar offered various options for larger capacity generators along with their base bid proposal which may prove to be beneficial to the City, the Director of Property be authorized to evaluate, along with the City's Consultant, Marsh Energy Inc., the two options submitted and prepare a report for the next scheduled Committee and Council meetings. In the event the City, in its sole discretion decides to pursue the acquisition and installation of such larger capacity generators, then the Agreement referred to in (a) to (c) above would be amended accordingly.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

This amount to be funded from Capital Funds Account No. CF809453006 5450 - C.U.P. Tri-Generation-M1610105. The approved Capital Budget is $7,728,500.

Consulting Fees (Phase I)	$ 28,255.
Estimated Construction Cost (includes engine-generator sets, auxiliaries and facility to house the engines)	$6,234,715.
Engineering Fees (Phases II - VI)	$ 812,130.
Engineering Fees (Alternative Site Evaluation)	$ 58,850.
Contingency	$ 595,150.
	$7,728,500.

Staff's review of the tenders have confirmed that Toromont/Caterpillar has offered the City a cost competitive 5 year maintenance contract as part of their base bid proposal. With this 5 year maintenance contract as a negotiating point, it is desirable to determine if the City can negotiate an extension to the contract beyond the 5 years up to 20 years.

BACKGROUND:

In February of this year, City Council approved of Item 16 of the SIXTH Report from the Finance & Administration Committee recommending that a purchase order be issued to Marsh Energy Inc. of Burlington, Ontario to commission them as the City's Prime Consultant for the design, engineering and project management of the Central Utilities Cogeneration Plant.

The City received approval for partial funding ($4,043,000.) of this project in September 1994 as part of the Canada/Ontario Infrastructure Works Program. The balance is funded in the approved 1994 - 2003 Capital Budget ($2,021,500) and 1995 - 2004 Capital Budget ($1,663,411.).

Since February of this year, Marsh Energy and City staff have been developing the specifications for the purpose of tendering the engine-generator sets and auxiliaries. This being the single largest component of the overall project and in lieu of the lengthy delivery time, it was determined that pre-tendering the engine-generator sets including the installation would ensure that the timetable resulting from the Infrastructure Guidelines could be met and that energy savings could be realized to the City at the earliest possible date.

In response to the Request For Tender issued by the Purchasing Division, March 15, 1995, Ref: C14-4-95 and in accordance with the specifications therein, there were three tenders received for the supply and installation of two identical engine-generator sets and auxiliaries for the Central Utilities Cogeneration Plant to produce a nominal 3.8 MW of electrical power. The tender prepared by U.S.Turbine Corporation was unacknowledged and not accepted because they were late in submitting. The three acceptable tenders were received from reputable manufacturers, each with experience in the field of cogeneration utilizing spark ignited natural gas engines. They were:

COMPANY	BASE BID
Toromont/Caterpillar	$3,649,427.
Wartsila Diesel Canada Inc.	$4,855,300.
Pamco-Atlas Limited	$5,419,550.
GEC Alsthom	Disqualified - did not acknowledge all addenda.

Upon receipt of the three accepted tenders, the City's Consultant, Marsh Energy Inc. of Burlington, Ontario began an exhaustive evaluation of the technical and economic data submitted by each of the suppliers.

The evaluation effort took into consideration the initial installed capital cost, as well as long term (20 year) costs in order to determine the most cost effective proposal over the design life of the plant. Other major considerations included the fuel efficiency, predicted maintenance costs, net present cost of operation over the life of the plant and consumables such as lube oil and filters.

As required by the terms of the Federal/Provincial/Municipal Infrastructure Agreement, each proposal was subjected to the Canadian Content Preference Policy. As there are no Canadian manufacturers of this type of equipment, the application of this policy did not change the outcome of Marsh's analysis.

The criteria used in the evaluation of each submission included:

- Economics which included -
  - Capital Cost
  - Efficiency of Engines
  - Load Factor
  - Life Cycle Cost
- Air Emissions and Noise Levels
- Available Power -
  - Electrical
  - Thermal
- Mechanical/Electrical -
  - Quality
  - Reliability
  - Suitability
- Controls
- Maintenance & Emergency Service
- Reference Survey

In addition to the above, each of the proponents' Engineering teams and organizations were assessed on previous applicable experience.

Due to the differences in each manufacturers' design and electrical capacities it was necessary that the evaluation consider the amount of usable electrical and thermal energy produced by the equipment of each supplier by performing a Load Factor Analysis. This analysis would accurately calculate the potential savings generated by each of the proposals.

On completion of the comprehensive analysis of the suppliers data, Marsh Energy Inc. have concluded that the proposal submitted by Toromont/Caterpillar would provide the City with a quality cost saving installation over the design life of the plant with a high degree of reliability. Furthermore, the proposal submitted by Toromont/Caterpillar was within the original estimated budget for this portion of the overall project. Based on their conclusions, Marsh has recommended to the City to accept the base bid proposal as submitted by Toromont/Caterpillar and initiate negotiations for an extended maintenance contract.

Attached hereto is a table which summarizes Marsh's technical and economic evaluation of the proposals received in response to the Request for Tenders.

DWV/rd

attch.

cc. J.G. Pavelka, Chief Administrative Officer
P. Noé Johnson, City Solicitor
A. Ross, City Treasurer
J. Krochak, Senior Buyer, Purchasing Division
P. Hooker, Senior Solicitor, Law Department
R. Desnoyers, Assistant Manager, Building Operations & Maintenance.
N. Adhya, Manager of Budgets, Treasury Department

TABLE 5	DESCRIPTION:	PROPOSALS EVALUATION
DATE : MAY '95	PROJECT:	CITY OF HAMILTON

VENDOR	WARTSILA	WAUKESHA	CATERPILLAR
Performance	BASE BID	BASE BID	BASE BID
Site Rating: kWe	3578	4000	4200
Electrical Efficiency, 100% Load	38.0%	38.2%	39.5%
Thermal Efficiency	37.4%	34.0%	32.5%
Total Efficiency	75.4%	72.2%	71.9%
Lube Oil Consumption: g / kWhr	0.60	0.30	0.30
Expected Availability	95%	98%	95%
Annual Load Factor	92.2%	88.4%	86.6%
Total 5 year Life Cycle Cost (2)	$1,495,514	$386,732	$563,603
5 year Maintenance Proposal (2)	$1,077,240	$386,732	$325,058
Total 20 years Life Cycle Cost (2)	$8,843,692	$3,729,098	$3,603,144
Warranty Major Comp. (month)	36	60	36
Warranty Auxiliaries (month)	12	36	36
Others			
Requested Options (Table 4)	Satisfactory	Good	Very Good
Technical Proposal	Good	Satisfactory	Very Good
Engine Track Record	Satisfactory	Excellent	Good
Experience of Firm	Very Good	Very Good	Very Good
Proposed Team	Satisfactory	Satisfactory	Excellent
Emergency Service	Satisfactory	Very Good	Excellent
Low Grade Heat	Satisfactory	Very Good	Very Good
Absorption Chilling	Satisfactory	Satisfactory	Excellent
Economical			
1st Year Savings	$853,809	$982,069	$1,030,620
Present Value of 20 Year Savings	$7,762,977	$10,892,747	$11,379,586
Cogen Island Capital Cost (TI)	$4,855,300	$5,419,550	$3,649,427
Cogen Island NPV over 20 Years	$2,907,677	$5,473,197	$7,730,159
Capital Cost per kW of Capacity	$1,357	$1,355	$869

SOURCE : ENGINE MANUFACTURERS

MARSH ENERGY INC.

8. (a.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 June 30

REPORT TO: Susan K. Reeder
Secretary, Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: Adult Videos In Convenience Stores

RECOMMENDATION:

(a) That City of Hamilton By-law No. 93-045, respecting the regulating and governing of adult videos, and for regulating video stores in which adult videos are provided, be amended to provide for the following:

(i) (1) A Class A Licence for persons being in the business of operating an adult video store;

(2) A Class B Licence for persons operating a business where adult videos are an incidental use, which is defined as less than 20% of the video stock offered for sale or rent and the maximum number of adult videos available does not exceed 500; and

(ii) that the designated area for the adult videos within a Class B Licence to be equipped with a solid opaque self closing full-length door;

(iii) that all adult video covers or jackets, which contain specified body areas or specified sexual activities as defined in the By-law, to be covered by an opaque cover when being transported from the designated area of a Class B Licence to the cashier;

(iv) (1) that the percentage of adult videos, permitted as an incidental use in a Class B business, to be restricted to not more than 20% of the total number of regular videos available, but shall not exceed a maximum of 500 adult videos;

(2) that the Operators of all Class B outlets be required to keep on file a list indicating the number of all videos available and the number of all adult videos available;

(v) that the fee for a Class B of adult video licence be $150.;

(vi) that those businesses that presently exceed the 20% ratio, or the 500 maximum adult videos, shall be deemed to require a Class B licence and shall be required to comply with the regulations of the By-law for a Class B licence within one year;

(vii) that the number of Adult Video Store licences be reduced to four by removing the following two locations: 116 Emerson Street and 7 Greenford Drive;

(viii) that a hearing for the denial of a licence in accordance with Bill 198, a Provincial act to amend the Liquor Licence Act, the Municipal Act, the Regional Municipalities Act and certain other statutes related to upper tier municipalities; and

(b) That the City Solicitor be authorized and directed to prepare the appropriate By-law to amend By-law 93-045, accordingly.

Doug Rose for J. Sebastyn

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Currently, there are four businesses licensed as adult video parlours which generates $8,000. annually in licence fees. A survey by the Clerk's Department indicates that there are approximately 81 businesses offering adult videos as an incidental use. At the fee proposed, the total revenue for 85 stores (Classes A and B) would be $20,150. Presently, the cost of administration and enforcement of adult video stores exceeds the amount collected in fees. The Licence Division currently responds to complaints and carries out random checks, which will continue whether the premises are licensed or not.

BACKGROUND:

City Council, at its meeting held February 23, 1993, enacted By-Law 93-045 which provides for the licensing, regulating and governing of video stores in which adult videos are provided. Since the By-law's enactment, the Licence Division has received 26 complainants that deal with convenience stores which offer adult videos for rent or sale.

The By-law presently regulates those stores where the sale or rental of adult videos is incidental to the stores and it requires that all adult videos must be displayed in a designated

area, which cannot be viewed by the public outside of this area. An analysis of the complaints received and the inspections performed by the Licence Division has revealed that the main problem in the convenience stores is the lack of proper control of the designated area. This problem was also identified by the various church and school groups who attended the Finance & Administrative Meeting of March 7, 1995. Since there is no actual definition in the By-law of what type of barrier is to be provided, it currently ranges from a solid door to a curtain. As a result, at times, the curtain or door has been left open and in some instances, minors have had easy access to this restricted area without the knowledge and consent of the proprietor. In order to better control the access to these areas, it is recommended that the By-law be amended to require that all designated areas be equipped with a solid full length, self-closing door. This type of door would prevent accidental access and viewing of the videos by minors. It is our opinion that a locked door is not necessary and would be too onerous a requirement on the owner.

A second area of concern is the explicit video jackets or covers on the adult videos. These jackets may be visible to other customers, especially children, at the check-out area. In order to reduce the chance of children viewing this material or offending a customer, it is recommended that the By-law be amended to require that all adult videos jackets or covers, which contain specified body areas or specified sexual acts as defined in the By-law, be transported from the designated area to the cashier in an opaque cover.

Under the Municipal Act, the City can only regulate adult video stores. It cannot prohibit the sale or rental of videos, or businesses which sell or rent adult videos. When establishing a licence fee, the fee cannot be set to prohibit the business or with the intent or effect of discouraging vendors from continuing the business. The fee should be reasonable and justifiable, with consideration given to costs of enforcement and administration.

Currently, the By-law requires stores which offer only adult videos to obtain a $2,000. licence. It also restricts such licences to 6 businesses which will be reduced in number to a minimum of two as the licences are not renewed. Stores which offer adult videos as an incidental use the sale of other family/type videos are not currently required to be licensed. We are recommending that a second class of licence be created for businesses offering adult videos as an incidental use.

The Licence Division is recommending a licence fee of $150. for stores which offer adult videos as an incidental use. This $150. license fee is based on the average administrative and enforcement costs for all licences, as indicated in a recent report, respecting user fees, prepared by David M. Griffith & Associates for the City of Hamilton. Notwithstanding our previous recommendation of one licence fee for all businesses offering adult videos, we are recommending that it be tabled until such time as the court ruling is received on the appeal by 913719 Ontario Limited, carrying on business as Adults Only Video. This company operates operates 3 Adult Video Stores in Hamilton and has challenged Hamilton's and Mississauga's by-laws because of the excessive licence fees. A decision is expected shortly from the Ontario Court (General Division). A report will then be brought to this Committee respecting the $2,000. fee for Class A video outlets.

Concerns have been expressed that, if the number of adult videos are not restricted for a Class B licence, it would be possible to operate this class of business similar to that of a Class A Licence. It is recommended that the number of adult videos, permitted as an incidental use, be restricted to not more than 20% of the total number of regular videos available for rent or sale and the maximum number of adult videos available, not to exceed 500. In a survey of other municipalities which regulate adult videos, only the City of Burlington has a 10% ratio of adult videos, permitted as an incidental use.

In April 1995, City Inspectors identified 81 businesses offering adult videos as an incidental use to the sale of regular videos. The average ratio of adult videos to regular videos was 12.9% for the 81 locations. Although 5 locations were identified as exceeding the 500 maximum adult videos requirement and 14 as exceeding the 20% ratio, these numbers may vary when the operators provide an accurate listing of their videos. It is recommended that any business which exceeds the 20% ratio, or the 500 maximum adult video requirement, be issued a Class B licence and be required to comply with the By-law within one year.

It will be necessary to place two advertisements in the Spectator notifying the operators of the By-law changes. Operators will be requested to contact the City Clerk's Department in order that the premises can be inspected and the number of adult videos for sale or rent can be registered.

Subject to the approval of the Finance and Administration Committee and City Council, we will submit an enforcement plan to the Licensing Committee, outlining the process to be followed when non-compliance with the By-law occurs. This process would involve a number of steps which include the issuance of an Orders to Comply, By-law charges, and a Hearing before the Licence Committee to suspend an operators licence for non-compliance.

Subject to the approval of these By-law amendments, we are recommending a 90-day compliance period for these new regulations. Letters will be sent to all convenience store operators to inform them of the By-Law changes and their responsibilities. Licence Inspectors will also attend all locations to advise operators what changes are required for their designated area. A second follow-up inspection will occur to ensure compliance. It is estimated that approximately 250-300 inspections will be required. In addition to this compliance period, inspectors will continue to perform random inspections, approximately 30 a month, to ensure compliance with the By-law. As in the past, all such complaints will be dealt with immediately.

The recommendations for new licensing requirements, for all businesses which offer adult videos for rent or sale, will enable the City to have better control of the problems, particularly preventing the viewing of this material by minors, and to take immediate action for non-compliance of the By-law.

Two of the adult video stores listed in the By-law, at 116 Emerson Street and 7 Greenford Drive, did not renew their licences for 1995. The By-law provides that these licences are no longer available. A housekeeping change is required to be made to Schedule 1 to reflect the four current licences and remove the two addresses that are no longer in use.

Bill 198 changes the licence powers and procedures for the City of Hamilton. As a result, Section 9 of the by-law must be amended to require a hearing for the denial of a licence. The process in the current by-law requires the applicant to request a hearing.

c.c. Patrice Noe Johnson, City Solicitor
Attention: Ronald Sabo

8. (b.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 June 29

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: Proposed Bingo Hall - Town of Grimsby

RECOMMENDATION:

That the City of Hamilton inform the Director, Gaming Control Commission that it has no objection to the proposal to open a Class "A" Bingo Hall in the Town of Grimsby.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Members of the Committee will recall that City Council, at its meeting held 1995 May 30, in adopting Section 30 of the 15th Report of the Finance and Administration Committee, referred back this matter. This was done so that additional information could be obtained concerning the independent market study which was conducted by Deloitte and Touche on the proposal by Bingo Country to open a Class "A" Bingo Hall in the Town of Grimsby.

The Gaming Control Commission has now advised that the market study inadvertently omitted one of the local bingo halls in the body of the study. However, all analysis relating to bingo revenues, population estimates, and attendance, did include the bingo hall in question. We were advised that the omission only resulted in the "Saturation Analysis Table" being inaccurate, but did not change the overall substance of the conclusions made in the study.

While we did ask the Province to include additional information about the "Potential Player Transfer Ratio" for those halls closest to the proposed facility, which would help us to better understand whether or not there would be an impact on bingo halls in Hamilton, the Commission has said that they cannot do this without undertaking player surveys in each of the halls which is not feasible.

For the information of Members of the Committee, in contacting representatives of the four local bingo halls, only one has expressed any objection to the proposal, while the other three have no concern. The one hall that objected, agrees with the findings in the study, that the direct impact will be minimal. The Provincial Study came to the conclusion, "that a new bingo hall in the Town of Grimsby would have a minimal impact on bingo halls in Hamilton, and in fact, a recent survey of bingo players in similar jurisdictions, indicated that 85% of bingo players, travel no more than 10-15 kilometres to bingo events. Should this be the case in Grimsby, virtually no market overlap will occur, existing halls and charities will suffer virtually no attendance or revenue declines, and almost all attendance and revenue attracted by Bingo Country will result from market expansion".

While there is no way of being 100% certain there will be no adverse impact to Hamilton's Bingo Halls, we are recommending that the Gaming Control Commission be advised that the City of Hamilton has no objection to the proposal.

URBAN/MUNICIPAL
CA4 ON HBL A05
C51F31
1995

Urban/Municipal Librarian
Hamilton Public Library
2nd Floor

URBAN MUNICIPAL
AUG 22 1995
GOVERNMENT DOCUMENTS

NOTICE OF MEETING

FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, 1995 August 22nd
1:30 o'clock p.m.
Room 233, City Hall

Susan K. Reeder.
Susan K. Reeder, Secretary
Finance and Administration Committee

AGENDA

1. **PUBLIC MEETING**

   Development Charges

2. **PRESENTATIONS/DELEGATIONS**

   (a) Parking Authority - Financial Report and Strategies

   (b) Theatre Aquarius - Tax Relief Submission

      (i) Information Report - Treasurer - Theatre Aquarius - Request Private Member's Bill/relief from taxes (presented to 1995 July 4th meeting)

   (c) Royal Canadian Legion - Property Tax Relief

3. **CONSENT AGENDA**

4. **PRIVATE AND CONFIDENTIAL AGENDA**

5. **CONSTITUENT ASSEMBLY**

   (a) Mayor Morrow - Proposed Terms of Reference - Special City Committee to formulate the City's response to the Constituent Assembly on Government Restructuring (copy to follow)

   (b) Information - Notice of Motion approved by Regional Council respecting the responsibility for all municipal services.

6. **ALDERMAN W. MCCULLOCH**

Property Assessment (no copy)

7. **CITY CLERK**

(a) Process of making appointments to Committee's served on by former Alderman D. Agostino

(b) Licence Agreement - Stand No. 176 - Hamilton Farmers' Market - Coffee Shop

8. **BINGO HALL REVIEW COMMITTEE**

Bingo Country - Relocation Application - 75 Frid Street

9. **CHIEF ADMINISTRATIVE OFFICER AND DIRECTOR OF PROPERTY**

Energy Management of Municipal Facilities

10. **REFERRAL FROM REGIONAL COUNCIL**

Downtown Revitalization - Greater Hamilton Downtown Community Development Corporation - amendment to appoint one area member of Regional Council

11. **DOWNTOWN INITIATIVES COMMITTEE**

City Council Representation on the Founding Board of the Greater Hamilton Downtown Community Development Corporation (GHDCDC)

12. **DIRECTOR OF PROPERTY**

(a) Sale of 11 Arthur Avenue South to Hamilton Habitat for Humanity

(i) Information Report - Director of Property - 11 Arthur Avenue South

(b) Offer to Purchase - Sale of City Property 401-403 King Street West, formerly Wesley House to Bruce Laracy

13. **DIRECTOR OF PROPERTY AND TREASURER**

Treasury Renovations - Construction Contract

14. **FIRE CHIEF AND DIRECTOR OF PROPERTY**

Fire Station 4 - Macassa Park - Post Construction Improvements

15. **COMMISSIONER OF HUMAN RESOURCES**

(a) Reclassifications - Public Works and Traffic Department

(b) Information Report - City's Application for Judicial Review of Arbitrator Dempster's Award regarding H.M.R.F. 0.7% C.P.P. Offset

16. **SELECTION COMMITTEE**

Appointments to the Hamilton Status of Women Sub-Committee (copy to follow)

17. **OTHER BUSINESS**

18. **ADJOURNMENT**

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 August 16

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: L.C. King, P.Eng.
Chairman - Review of the Development Charges Committee

SUBJECT: Development Charges Study - 1995 By-law (95.4.12, 95.2.4.2.1.A)

RECOMMENDATION:

1. Development Charges Policies.

   a) That pursuant to the Development Charges Act, 1989, Development Charges be imposed to recover the growth related capital costs of new development and redevelopment in the City of Hamilton; and,

   b) That the uses of land, buildings, or structures upon which a Development Charge shall be imposed be designated as residential and non-residential; and,

   c) That a uniform city wide Development Charge be imposed based upon providing growth related net capital costs of:

      Indoor Recreation
      Outdoor Recreation
      Parkland Acquisition
      Library Buildings
      Library Materials
      Vehicles and Equipment
      Traffic Signals
      Studies; and,

   d) That a separate Area Specific Engineering Development Charge be imposed to certain designated development areas in the City in order to fairly represent the cost of providing the following services:

.../2

Stub Streets
Oversizing of Mid Block Collectors
Extra Depth Asphalt
Services Adjacent to City Lands
Street Lighting
Storm Water Retention System; and,

(i) That the area specific Engineering Development Charges be imposed on the following areas:

1. Greenford Neighbourhood
2. Gershome Neighbourhood
3. Lisgar Neighbourhood
4. Albion Falls Neighbourhood
5. Broughton East Neighbourhood
6. Eleanor Neighbourhood
7. Broughton West Neighbourhood
8. Butler Neighbourhood
9. Chappel East Neighbourhood
10. Crerar Neighbourhood
11. Jerome Neighbourhood
12. Ryckmans Neighbourhood
13. Allison Neighbourhood
14. Kernighan Neighbourhood
15. Mewburn Neighbourhood
16. Kennedy East Neighbourhood
17. Gourley Neighbourhood
18. Sheldon Neighbourhood
19. Falkirk East Neighbourhood
20. Carpenter Neighbourhood
21. Falkirk West Neighbourhood
22. Mountview Neighbourhood; and,

(ii) That a separate Area Specific Storm Water Development Charge be imposed in:

23. Hannon South Neighbourhood; and,

e) That the following categories of residential development be adopted and approved:

(i) Single family, semi-detached, and row houses
(ii) Apartment units with 1 bedroom or less
(iii) Apartment units with 2 bedrooms or more; and,

.../3

f) That other residential uses such as hotels, motels, residential care facilities, student residences, and similar uses be considered as non-residential unless separate cooking facilities are provided within individual rooms; and,

g) That no Development Charges be imposed for non-residential development; and,

h) That the existing policy respecting the use of Development Charges Payment Agreements be confirmed; and,

i) That the existing policy of providing a Development Charge credit for up to 10 years for demolished buildings be continued; and,

j) That the existing policy grand-fathering non-profit housing units allocated by the Ministry of Housing prior to 1990 March 27 be continued; and,

k) That the Development Charges be based on the rate in effect on the date of the building permit application; and,

l) That Development Charges may be subject to annual inflation increases based on changes to the Composite Southern Construction Cost Index, Ontario Series; and,

m) That the proposed City of Hamilton, Development Charges By-law be approved; and,

n) That the Development Charges By-law shall expire five years from the date of its passage; and,

o) That the by-law be administered jointly through the Building and Treasury Departments; and,

p) That no Development Charges be imposed on redevelopment of existing developed property where ten (10) residential units or less are proposed; and,

q) That all Development Charges be paid in full prior to the issuance of the building permit unless an owner has entered into an Agreement with the City to provide for later or earlier payment of Development Charges; and,

r) That a non-residential Area Specific Storm Water Development Charge of $1,633./net developable acre for the Hannon South Neighbourhood be approved and adopted; and,

s) That the following schedule of Development Charges be approved and adopted:

.../4

City of Hamilton ($) RESIDENTIAL DEVELOPMENT CHARGE BY UNIT TYPE			
	(A) CITY WIDE CHARGE	(B) AREA SPECIFIC ENGINEERING SERVICES CHRG	(A & B) TOTAL IN AREAS WHERE AREA SPECIFIC ENGINEERING SERV CHRGS APPLY
Singles, Semis & Rows	1,565.44	208.43	1,773.87
Apts. 2 or More Bedrooms	894.54	119.10	1,013.64
Apts. 1 or Less Bedrooms	447.27	59.55	506.82

2. Financial Policies.

a) That the existing Development Charges reserve fund be maintained; and,

b) That the City Treasurer be authorized and directed to create the following Development Charge accounts within the Development Charge reserve fund for the collection and control of Development Charges:

(i) Storm Water Retention
(ii) Parkland Acquisition
(iii) Studies

c) That the City of Hamilton 1995 - 2204 Capital Budget and Forecast be amended to reflect an overall spending level of $10,000,000. for Parkland Acquisition over the 10 years, with the provisions to be amended accordingly commencing with the 1996 Capital Budget and that the additional funding be provided from the Development Charges Fund; and,

d) That the unallocated balance of $1,718,889. within the Engineering Component of the Development Charges reserve fund as of 1994 December 31 be transferred to the Reserve for services through undeveloped land; and,

.../5

e) That investment interest on the Development Charges reserve fund be credited back to the fund; and,

f) That interest and refunds to be paid on over-payment or successful complaints be calculated in accordance with the Bank of Canada rate; and,

3. Implementation Policies.

a) That the proposed Development Charges rates be effective immediately; and,

b) That the Mayor be requested to call a special meeting of Council be held 1995 September 19 to pass the Development Charges By-law.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The Development Charges that were recommended by staff and Hemson were calculated from details provided by various city departments. They are based on recovering the net growth related capital costs from development occurring in the 1995 - 2004 forecast period.

The calculation of the Development Charge is derived from the lesser of the historic service levels and those contained in the City's Growth Related Capital Forecast.

Income anticipated from implementation of the new by-law over the next 10 years is as follows:

	Staff/Consultant Report		**Staff Recommendation**	
	RES. ($)	**NON-RES. ($)**	**RES. ($)**	**NON-RES. ($)**
CITY WIDE	24,978,736	865,600	14,262,414	0
AREA SPECIFIC (Engineering)	2,143,459	271,259	1,872,200	0
(Storm)		199,960		199,960
TOTAL	**28,459,014**		**16,334,574**	

.../6

BACKGROUND:

On 1990 March 27 the City passed its first Development Charges By-law under the Development Charges Act. The by-law imposes charges for both residential and non-residential development. The by-law was subsequently amended in 1992 June to reduce the charges by 40%. Under the provincial legislation this by-law expired after 5 years on 1995 March 27.

On 1994 September 27, City Council approved the review of the current Development Charges policies and granted permission to retain a consultant to assist with the review.

On 1994 December 8 the Finance and Administration Committee hosted a public meeting to review the existing Development Charges policies and to receive input from the public on the existing policies. On 1995 March 9 the Finance and Administration Committee hosted a second public meeting with the intent to advise the public of the passing of a by-law for a 6 month term that continues the existing rates, terms and conditions and to receive input thereof.

On 1995 March 21, the F & A Committee approved a Development Charges By-law with a term of 6 months. At that meeting staff were also directed to continue work on a full Development Charges study and to meet with representatives of the development industry regarding the Development Charge proposal prior to its presentation to Committee and Council.

The interim six month by-law was subsequently approved by Council at its meeting of 1995 March 23 with an expiry date of 1995 September 23. Staff has continued to develop a new Development Charges By-law and also has had numerous meetings with industry representatives.

DISCUSSION:

The object of the City of Hamilton Development Charges Study was to identify the net growth related capital costs that the City will face in order to provide service to new development and to apportion these costs in a fair and equitable manner.

From the net growth related capital costs and a development forecast, charges were calculated based upon residential unit type and non-residential development. These charges are summarized on Table ES-1. (Insert 1)

It was also determined that charges for engineering and storm water retention should be area specific and these charges are summarized in Table ES-2. (Insert 2)

The calculation of the Development Charges in the Study was completed on the basis of full growth related cost recovery. The resulting rates are considerably higher than existing rates which were lowered under direction of Council by 40% in 1992.

.../7

	EXISTING RATES 1992	ORIGINAL RATES 1990	STUDY RATES 1995
RESIDENTIAL CHARGE - SFD	$1,723.20	$2,872.00	$2,746.21
NON-RESIDENTIAL $/SQ.FT.	$ 0.11	$ 0.18	$ 0.16
NOTE: Table does not include Area Specific Charges			

In keeping with the direction of the Committee and Council, staff have met with representatives of the development industry to review the findings of the study and obtain their input. The Staff Development Charges Sub-Committee has also met to develop a staff position as to what development charge levies to recommend.

The following factors were taken into account in developing the staff development charges proposal:

1. Consideration of the present economic situation and the effect of the condition of the development industry upon the local economy.

2. The overall effect of City Development Charges in combination with other charges such as the Regional Development Charges, proposed education levies, 5% land dedication and other fees.

3. Capital financing being generated for the City under various development charge level scenarios.

4. Concerns of the development industry representatives regarding the calculations and methodology for certain components of the development charges calculations. Particular components identified as concerns include special facilities, indoor recreation, outdoor recreation, and libraries.

5. Concerns of the Development industry representatives respecting adminstration of the new Development Charges particularly the proposal to levy engineering costs on a per area basis rather than a per unit basis.

6. Concerns regarding the cost impact of development charges upon new growth in the community and the effect of such charges upon the competitiveness of Hamilton in attracting new growth.

.../8

7. The request by the Chamber of Commerce for a five year moratorium on non-residential charges to assist with attracting new growth to the community.

8. The position of the Hamilton Harbour Commission that Development Charges should not be assessed against their lands as it impedes development and affects competitiveness.

Proposed rates are as follows:

	STAFF RECOMMENDATION			
	CITY WIDE PROPOSED RATES ($)	CITY WIDE PLUS AREA SPECIFIC PROPOSED RATES ($)	EXISTING RATES (40% Reduction) ($)	STUDY PROPOSED RATES ($)
RESIDENTIAL: SFD	1,585.44	1,773.87	1,723.20	2,746.218*
APT, 2 BEDROOM	894.54	1,013.64	1,216.38	1,569.26*
APT, 1 BEDROOM	447.27	506.82	658.87	784.63*
NON-RESIDENTIAL CHARGE - $/SQ.FT.	0.00	0.00	0.11	0.16*
* Does not include Area Specific Charges.				

The staff committee, after receiving the study findings, revised the Development Charges in the following manner:

1. The levy component for special city wide facilities was removed.

2. The levy component for indoor recreation was reduced to a level that maintained residential rates at the same per capita rate as the present levies. All other residential components remained at the levels proposed in the study.

.../9

3. Engineering Area Specific charges were revised to per unit charge although it is still proposed that the levy only be charged in the "green fields" development areas in the City.

4. Non-residential Development Charge fees identified in the Study were reduced to zero except for the Hannon South Neighbourhood.

The reduction of city wide facilities and indoor recreation are based upon consideration of the magnitude and priorities of the capital expenditures involved and the operating cost implications of these capital facilities.

The net effect of the revision is a reduction in projected development charge funds over the next ten years from $28.5-million (study findings) to $16.3-million (staff recommendations). This reduction will have to be made up from tax based funding if all the growth-related projects are to proceed.

PARKLAND ACQUISITION:

Parkland acquisition is not a component in the current Development Charges By-law. A detailed review of the City's park inventory was carried out as part of the study.

In comparing future acquisition costs with the capital budget, it was apparent that costs will exceed proposed expenditures. The capital budget for parkland acquisition historically has not been based on need but upon funding availability from parkland dedication funds. The Development Charges represent a source of additional potential capital financing for parkland acquisition and was therefore included within the study.

The analysis confirmed the need for a development charge component for parkland acquisition. At the recommended rate of $93.92 per capita, the Development Charge will generate $3.0-million in additional capital financing for acquisition over the next ten years. Due to the existing capital budget funding constraint, it is necessary to amend the capital budget to reflect the expanded acquisition levels possible with the additional financing. A recommendation to that effect is included.

ENGINEERING COMPONENT:

The City presently collects funds for engineering works related to development by either Development Charges or through recoveries through one foot reserves. The two recovery techniques each cover different components and, therefore, there is no double-charging for the same components. In the course of the Development Charges Study, it was found that a significant part of the expenditures from the Reserve for Services through Unsubdivided Lands

.../10

over the past five years were intended for components that should have been funded from the engineering component of the Development Charge fund. Therefore, it is necessary to transfer funds from the Development Charges Fund to the Reserve for Services through Unsubdivided Lands to offset the error.

NON-RESIDENTIAL DEVELOPMENT:

The Chamber of Commerce has advocated the elimination of non-residential charges for a 5 year period. Their brief, which was submitted at the Finance and Administration meeting in 1994 December, outlines their concerns respecting the economic impact of a non-residential Development Charge. The brief concludes by recommending that Council should examine the competitive position of Hamilton and that the charges should not be levied for a five year period.

Staff reviewed the position of the Chamber and also examined potential revenue from the non-residential charges. The Development Charges Study concluded that a total of $1,336,819. could potentially be collected over the next ten years. This translates to potential capital of $133,682. per year.

If non-residential development charges were reduced to zero, except in the Area Specific charge for Hannon South Neighbourhood, a total of $1,136,859. would not be collected over the next ten years.

The Staff Subcommittee noted that the amount of money collected by this charge was not significant with respect to the City's overall budget and concluded that the economic benefits of a zero charge for non-residential would outweigh actual development charges collected.

DOWNTOWN AREA:

One issue that was raised at the onset of the Development Charges Study was the economic effect of development charges on the downtown. Staff were directed to examine this issue in light of both the City's and Region's desire to promote growth and development.

The Staff Subcommittee noted that there has been no residential development in the downtown core for the last five years. If this trend continues, then residential charges will have no effect on the downtown.

With respect to commercial development, it is the Staff's recommendation that non-residential charges be reduced to zero for economic reasons, and this reduction will also apply to the downtown.

LCK/PCL/CS/dm

c.c. - Review of the Development Charges Staff Subcommittee

TABLE ES-1

City of Hamilton ($)

RESIDENTIAL DEVELOPMENT CHARGE BY UNIT TYPE

SERVICE	FINAL DEV CHARGE PER CAPITA	SINGLES SEMIS & OTH MULT (3.5)	APTS 2 BD. (2.0)	APTS 1 BD. (1.0)
1.0 INDOOR RECREATION	201.48	705.18	402.96	201.48
2.0 OUTDOOR RECREATION	148.40	519.40	296.80	148.48
3.0 PARKLAND ACQUISITION	93.92	328.72	187.84	93.92
4.0 LIBRARY BUILDINGS	25.83	90.41	51.66	25.83
5.0 LIBRARY MATERIALS	31.71	110.99	63.42	31.71
6.0 SPECIAL CITY FACILITIES	254.34	890.19	508.68	254.34
7.0 TRAFFIC SIGNALS	3.92	13.72	7.84	3.92
8.0 VEHICLES & EQUIPMENT	24.54	85.89	49.08	24.54
9.0 STUDIES	0.49	1.72	0.98	0.49
TOTAL	784.63	2,746.21	1,569.26	784.63

City of Hamilton ($)

NON-RESIDENTIAL DEVELOPMENT CHARGE PER SQUARE FOOT

SERVICE	UNADJUSTED PER SQ. FT.	PER SQ. FT. AFTER RES. BALANCES AND CASH FLOW	FINAL PER SQ. FT. DEV CHRGE
1.0 INDOOR RECREATION	0.06	0.07	0.00
2.0 OUTDOOR RECREATION	0.04	0.04	0.01
3.0 PARKLAND ACQUISITION	0.06	0.05	0.05
4.0 LIBRARY BUILDINGS	0.03	0.02	0.00
5.0 LIBRARY MATERIALS	0.01	0.01	0.01
6.0 SPECIAL CITY FACILITIES	0.14	0.10	0.00
7.0 TRAFFIC SIGNALS	0.01	0.01	0.01
8.0 VEHICLES & EQUIPMENT	0.07	0.07	0.07
9.0 STUDIES	0.00	0.00	0.00
TOTAL	0.42	0.38	0.16

TABLE ES-2

City of Hamilton **($)**

AREA-SPECIFIC DEVELOPMENT CHARGES PER ACRE

ENGINEERING SERVICES

	TOTAL COSTS	DEVELOPABLE AREA (Acres)	UNADJUSTED COST PER ACRE	DEBT/CREDITS FOR STREETLIGHTING	**TOTAL CHARGE PER ACRE**
AREA SPECIFIC ENGINEERING SERVICES	2,603,800	1,373.56	1,896	(138)	**1,758**

SPECIAL AREA-SPECIFIC DEVELOPMENT CHARGE PER ACRE **($)**

STORM WATER RETENTION SYSTEM

	COST	DEVELOPABLE AREA (ACRES)	**TOTAL CHARGE PER ACRE**
STORM WATER RETENTION SYSTEM	200,000	122.45	**1,633**

APPENDIX A

RECOMMENDED DEVELOPMENT CHARGES

City of Hamilton RESIDENTIAL DEVELOPMENT CHARGE BY UNIT TYPE			($)	
SERVICE	**FINAL DEV CHARGE PER CAPITA RECOMMENDED**	**SINGLES SEMIS & OTHER MULT (3.5)**	**APTS 2 BD. (2.0)**	**APTS 1 BD. (1.0)**
1.0 Indoor Recreation	118.46	414.61	236.92	118.46
2.0 Outdoor Recreation	148.40	519.40	296.80	148.40
3.0 Parkland Acquisition	93.92	328.72	187.84	93.92
4.0 Library Buildings	25.83	90.41	51.66	25.83
5.0 Library Materials	31.71	110.99	63.42	31.71
6.0 Special City Facilities	0	0	0	0
7.0 Traffic Signals	3.92	13.72	7.84	3.92
8.0 Vehicles & Equipment	24.54	85.89	49.08	24.54
9.0 Studies	.49	1.72	.98	.49
CITY WIDE TOTALS	**447.27**	**1,565.44**	**894.54**	**447.27**
10.0 Engineering	59.55	208.43	119.10	59.55
AREA SPECIFIC TOTALS	**506.82**	**1,773.87**	**1,013.64**	**506.82**

APPENDIX B

RECOMMENDED DEVELOPMENT CHARGES

City of Hamilton ($) NON-RESIDENTIAL DEVELOPMENT CHARGE PER SQUARE FOOT			
SERVICE	UNADJUSTED PER SQ.FT.	PER SQ. FT. AFTER RES. BALANCES & CASH FLOW	FINAL PER SQ.FT. DEV CHARGE RECOMMENDED
1.0 Indoor Recreation	0	0	0
2.0 Outdoor Recreation	0	0	0
3.0 Parkland Acquisition	0	0	0
4.0 Library Buildings	0	0	0
5.0 Material Materials	0	0	0
6.0 Special City Facilities	0	0	0
7.0 Traffic Signals	0	0	0
8.0 Vehicles & Equipment	0	0	0
9.0 Studies	0	0	0
10.0 Engineering	0	0	0
TOTAL	**0**	**0**	**0**

2. (b.)

James A. Scarfone
369 Hess Street South
Hamilton, Ontario
L8P 3R2

July 24, 1995

Alderman Bob Charters
Chair, Finance and Administration Committee
71 Main Street West
City Hall
Hamilton, Ontario, L8N 3T4

Attention: Alderman Don Ross
Vice-Chair, Finance and Administration Committee

Dear Sir:

RE: THEATRE AQUARIUS - Tax Relief Submissions

I wanted to express my personal disappointment that the matter of Theatre Aquarius's tax relief request reached your Finance and Administration Committee meeting and could not even obtain a seconder for the motion for discussion. As you know, I was present, sitting at the table and was hoping to make some further submissions, but when the matter did not get a seconder, I was left with no alternative but to leave in disappointment.

Previous to the meeting, I wrote a letter to the Committee, by the way of Ms. Reeder, indicating that I would be happy to attend and provide whatever information I could. Ms. Reeder was kind enough to provide me with the notice of a meeting taking place on July 4, 1995, to advise me that our matter was on the agenda and that the staff reports that had been prepared were also available. I received the staff reports one half hour before the Finance and Adminstration Committee meeting.

It is obvious that since the Art Gallery received approval for an exemption from taxes, your Committee at least believes, in principal, that arts organizations should not be required to pay taxes. For some reason, however, a distinction was made between the Art Gallery and Theatre Aquarius which I would suggest to you is one of the four cultural jewels of this City.

I would like to have the opportunity to appear before the Committee on a further occasion to make such further arguments as may be appropriate, to answer any questions and attempt to overcome any obstacles that members of the Committee have. While I appreciate that, from a political standpoint, this matter might be contentious, it is quite possible that the Board of Directors can assist with any

James A. Scarfone
369 Hess Street South
Hamilton, Ontario
L8P 3R2

difficulties that members of the Committee have and this matter can proceed by way of an endorsement to the Council as a whole.

In the meantime, I thought it would be of interest for each of you to receive a list of the various groups that have used the du Maurier Centre facilities. You will see that the du Maurier Centre is truly a community facility. While ownership, land and buildings remains in Theatre Aquarius itself, the organization and the building, cater to the needs of the community and brings cultural events, charitable functions and dollars to our City.

Had I been given the opportunity to speak, I would have indicated that there are excellent reasons why I, as a tax payer, and you as Councillors should favour our proposals. They are as follows:

1. We are a **cultural jewel** in the City that brings in approximately a 100,000 theatre goers per year, in addition, to all of the other events that take place in the du Maurier Centre.

2. **Parking revenue** is generated directly into City coffers which exceed any tax losses.

3. We are an **"anchor"** in the downtown core which is a matter that can not be underestimated.

4. The Theatre has no present way of paying taxes in the future, but will agree to make reasonable arrangements to pay arrears.

I urge you to review this matter and confirm that you will accept further submissions from us in this regard.

Yours very truly,
THEATRE AQUARIUS
Per:

JAMES A. SCARFONE
Vice-President
JAS:pc
Enclosure
cc S. Reeder

RENTERS AT DU MAURIER CENTRE

1993 -1994

NAME OF RENTER	NAME OF EVENT
Force 10 Exposure Inc.	Lennie Gallant
Festitalia Corporation	Festitalia Concert
Ontario Museum Association	Ontario Museum Conference
Canada Trust	Vice President's Awards of Excellence
Kirby Charles Co.	Canadian Tribute to Glen Miller
Burlington Road Show	Barber Shop Road Show
Royal Bank of Canada	1994 Royal Performance
Burlington Technologies	Burlington Technologies Christmas Party
Ruth Liebman	Shael's Accomplisment
Theatre Ontario	Self-Management Workshop
Binkley United Church	United Church Celebration
Hamilton Halton Home Building Association	S.A.M. Awards
Centre Francais	Pianiste Extraordinaire, Mario Trudel
Community Care Promotions Inc.	Aladdin & His Magic Lamp
Tiffany's Dance Elite Competitive Co.	Spirit of Dance
Don Jones Productions	Gerry & The Pacemakers
McMaster University	Hamilton Dance Festival
McMaster African Caribbean Association	McMaster Appreciation Night
Footloose Canadian Dance Championships	National Dance Competition
Ad & Sales Club of Hamilton	ACE Awards
Canadian Oprheus Male Choir	Annual Concert
Harlequin Singers	Harlequin Singers Choral Concert
Associated Screen Actors Project	Dofasco Choir
Hamilton Ballet Youth Ensemble	Hamilton Ballet Youth Ensemble & Desrosiers
Symphonia Choir of Hamilton	VE Day 50th Anniversary
Office of Gerontological Studies	Wingfield Farm's Progress
St. Joseph's Hospital	Aerosols in Medicine
Hamilton All-Star Jazz Band	10th Anniversay Show
High Energy Promotions Inc.	Canada Pro Cup and Steel City Classic
Chamberworks! Ensemble	Chamber Works!
Rising Star Dance Studio	Rising Star Showcase '95
The Dance Centre	Dance Centre Showcase '95
Community Child Abuse Council of Hamilton Wentworth	Please Don't Touch
Hamilton Ballet School	Hamilton Ballet Festival '95
Shantero Productions	Susan Aglukark
Paul Gordon Dancers	Paul Gordon Dancers Revue
Optimist Club of Hamilton	Annual Variety Show

2. (b.) (i)

CITY OF HAMILTON

- INFORMATION -

DATE: 1995 June 30

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Theatre Aquarius - Request
Private Member's Bill/ relief from taxes

BACKGROUND:

At its meeting held on April 4, 1995, the Finance and Administration Committee approved the following:

(a) That the request on behalf of Theatre Aquarius for the City's support for a Private Member's Bill for elimination of municipal taxes and tax arrears on their Theatre property, be received; and,

(b) That staff be directed to prepare a report to the Finance and Administration Committee regarding this request.

A delegation from the Theatre Aquarius Board of Directors appeared before the Finance and Administration Committee and requested support from the City for a Private Member's Bill which would provide them with

(a) relief from future property taxes and,

(b) the cancellation of tax arrears, penalties and interest which had accumulated on the property since January 1, 1992.

The delegation submitted a brief outlining the details of the organization and its' financial situation and advised the Committee that a similar request for support would be made to the Region and the Board of Education. The Committee received this information and a joint report from the City Treasurer and the City Solicitor recommending an analysis by staff of the Organization's request including a financial summary of taxes and the legal process.

DISCUSSION:

Taxes and Municipal Grants

- Theatre Aquarius has owned the land where the DuMaurier Theatre is situated since September 1991.

- They received an operating grant from the City that year in the amount of $43,000. Subsequent annual operating grants were approved by the Region and amounted to $105,000 in 1992, $101,850 in 1993 and $101,850 in 1994.

- Realty taxes levied for 1995 amount to approximately $167,000. Tax arrears on the property for the years 1992-1995 inclusive amount to $720,460 with a further instalment of $43,430 due on September 30, 1995. This will bring the total amount owing to $ 763,890 not including any further penalty and interest charges which are accumulating at a rate of approximately 13% annually or $6,550 per month.

- Upon 3 years tax arrears, the property is subject to registration. If taxes remain outstanding for a further year, the property may be sold for tax arrears. At the present time, the property is in arrears for more than 3 years, but has not yet been registered.

Status of Proposal

The Regional Finance Committee considered the Theatre Aquarius request at a meeting held on 1995 May 10 and recommended to Regional Council that relief from **future taxes** be supported but that Theatre Aquarius submit to the Region a repayment plan to resolve the current property tax arrears. These recommendations were approved by Regional Council on 1995 May 16.

From the Region's perspective, if the tax relief for future years is granted and the operating grant which is basically for taxes is discontinued, the Region would save $101,850 in grants but would lose their share of the annual tax revenue in the amount of $45,000 based on their percentage of the current tax levy (27% of $167,000). In other words there would be a net savings to the Region of approximately $57,000 annually.

Analysis of City's Position

The proposal to exempt Theatre Aquarius from future taxes would represent an annual loss in taxation revenues of $42,000 (25% of tax levy) and $80,000 (48% of tax levy) respectively to the City and Boards of Education.

The overall impact of the exemption on the Hamilton taxpayers would be a net loss of $94,527 annually which is comprised of the gross tax revenue loss of $167,000 and assuming the tax grant would be discontinued, a savings of $72,473 representing the City's share of the Regional grant based on the levy percentage apportionment of 71.157%.

If the taxes currently levied including penalties and interest accumulated to date, are cancelled, it would result in a direct chargeback of approximately $191,000 to the City, $206,000 to the Region and $367,000 to the Board of Education based on current % of levy.

The Region has not supported the proposal for cancellation of taxes due and payable, including penalties and interest accumulated to date. The Region has also requested Theatre Aquarius to prepare a financing plan to resolve this issue. The taxes on the property are in excess of three years in arrears and although the property has been subject to tax registration procedures since January 1995 in accordance with the Legislation, the City has taken no action in this regard to date.

Summary of Alternatives

1

Not support the request for either future tax exempt status or for cancellation of prior years arrears of taxes. The City, as tax collector for all three recipients of property taxes, would eventually proceed with tax registration procedures in accordance with the Legislation if an acceptable payment plan for these arrears could not be arranged.

2

(a) Future Tax Status: Support the request for a Private Member's Bill for future tax exempt status subject to similar conditions indicated below resulting in a revenue loss to the City of approximately $42,000 annually.

(b) Tax Arrears: Not support the request for cancellation of the tax arrears, penalties and interest which has accumulated on the property to date. Request Theatre Aquarius to submit to the City, for consideration, a copy of the proposed repayment plan requested by the Region to resolve the current property tax arrears, and avoid loss of the property due to tax sale.

3

Support the request of Theatre Aquarius for a Private Member's Bill which would grant them future tax exempt status subject to certain conditions such as:

a) an exemption only while the theatre continues to be operated as a theatre,
b) a limit on the number of years for the exemption within which the organization will become financially responsible, and
c) any other limitations or specific criteria to justify and restrict the future application to other service organizations in the community.

Support the cancellation of all realty tax arrears, penalties and interest which have accumulated on the property to date.

The above actions would result in an annual loss of revenues from taxation of approximately $42,000 to the City and a one time chargeback of $191,000 representing the City's share of the uncollected taxes which have accumulated over the years.

Conclusion

- Supporting future exempt status for this particular organization results in an annual loss in taxation revenues to the City at a time when the assessment base is being eroded through major industrial and other assessment appeals.

- This decision could be seen as a precedent setting decision applicable to any future requests by not for profit organizations for tax exempt status.

It should be noted that the passage of a Private Member's Bill requires the support of all of the tax levying bodies. For your information, staff have been advised that the Trustees of the Board of Education will not be dealing with this issue until September 1995.

Allan C. Ross
per T. Law.

c.c. J.G. Pavelka, Chief Administrative Officer
P. Noé Johnson, City Solicitor

Royal Canadian Legion

Mount Hamilton Branch 163

435 Limeridge Road East, Hamilton, Ontario L9A 2S8

CLERK
REC'D
REPLD
ACTIC

2.(c.)

June 15 1995

Mayor Bob Morrow
City of Hamilton.

✓to Res. for 7+A.

Dear Sir,

On Wednesday June 14, we the undersigned, had a Meeting with Alderman Henry Merlin, Kevin Beatty (finance dept)

The purpose of the meeting was to seek a Property tax relief for the years 1994 to 1999 inclusive.

We produced at that time copies of our year end statements for 1994 and the last 10 months leading up to now, which show substantial losses.

We are appealling to you, to give us your support in this matter.

As you are aware, Branch 163 has supportd many charities, In the Hamilton Wentworth Region over many years, and intends to continue doing so.

Respectfully your

_____ President

_____ Treasurer

_____ Secrtary

Copies to Mayor Morrow
Ald Merlin
Ald Ross
Bob Charter (finance)
Kevin Beatty "

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

Office of the Clerk

Robert C. Prowse, Clerk
Michael A. Rallo, Deputy Clerk

JUL - 5 1
REC. BY SGH
REF'D TO S.R.
REF'D TO
REF'D TO
ACTION FYA

5. (b.)

June 29, 1995

Chester Waxman, Co-chair
Don Granger, Co-chair
Constituent Assembly on the
Municipal Government System in Hamilton-Wentworth
c/o Regional Chairman's Office

Dear Mr. Waxman and Mr. Granger:

On March 13, 1995, you may recall that I forwarded a letter to you advising of a referral motion respecting the responsibility for all municipal services, which was approved by Regional Council at its meeting of March 7, 1995.

I would like to make you aware of the fact that Council, at a meeting held March 21, 1995, amended the original motion which ended with "... be referred to the Constituent Assembly on the Municipal Government System in Hamilton-Wentworth and to the Area Municipalities for information", by adding the following: "... and report back to Regional Council".

I am in receipt of your letter dated June 28, 1995 which indicates in the last paragraph that the Assembly's report with recommendations will be provided to Regional Council by the end of March 1996. I will make Council aware of your intentions by including your letter in the Communications section of the July 12, 1995 Special Regional Council Agenda.

Yours truly,

Robert C. Prowse
Regional Clerk

DISTRIBUTED FOR INFORMATION
TO MEMBERS OF FINANCE AND
ADMINISTRATION COMMITTEE &
CAO & Treasurer & City Solicitor
1995 July 11 Susan K. Reader
DATE SIGNATURE

cc: Ms. Trish Sweeney, Clerk-Treasurer, Town of Ancaster (Sent 1995 July 12/95 DM.)
Ms. Susan Steele, Clerk, Town of Dundas
Ms. Jame Lee, Clerk Administrator, Town of Flamborough
Mr. Harry Kooyman, Clerk/Chief Building Official, Township of Glanbrook
Mr. Joseph Schatz, Clerk, City of Hamilton
Mr. Joseph Brezina, Clerk, City of Stoney Creek
Chairman and Members of Regional Council

119 King Street West, 15th Floor
P.O. Box 910
Hamilton, Ontario L8N 3V9

Tel. (905) 546-4154
Fax (905) 546-2546
TDD (905) 522-1787

(Anderson/Wade)
That the following be added as Item 30:

"Item 30 **Construction Lien Action - Brier Hydraulics Ltd. (LS 95-012)**

That settlement of an action commenced in Ontario Court (General Division), Action No. 7340/94 with respect to Contract No. RHW 93-16(W) and at no cost to the Region, the Commissioner of Legal Services be authorized and directed to execute on behalf of the Region all necessary settlement documentation, such documentation to be in a form satisfactory to the Commissioner of Legal Services."

CARRIED.

TRANSPORTATION SERVICES COMMITTEE REPORT 3-95 as amended, put and CARRIED.

(Sloat/D'Amico) FINANCE COMMITTEE REPORT 3-95 be adopted and the information section received.

FINANCE COMMITTEE REPORT 3-95 put and CARRIED.

(Drury/Braden) That the Committee of the Whole Rise and Report. **CARRIED.**

The Chairman reported that the various reports of officials and Committees presented in Committee of the Whole were received and adopted as amended.

(Drury/Copps) That the Report of the Committee of the Whole, be received and adopted as presented. **CARRIED.**

MOTION

(Charters/Jackson)

"Whereas the role for Government is changing at an unprecedented rate;
Whereas these changes are occurring at the same time that stronger pressures exist for controlling the costs of government;

Whereas it is recognized that accountability for service and its delivery must be promoted to encourage cost controls;
Whereas in light of these combined pressures and current local conditions, local governments must be accountable and flexible enough to respond swiftly and with a minimum of bureaucracy, overhead and red tape to the needs of the day;
Whereas these needs are not being effectively met by the existing two levels of local government, and
Whereas it is the area municipality which is the level of government closest to the citizens, who directly elect them, and have the greatest ability to react, react quickly and be accountable to the electorate for local services and delivery thereof;

Now therefore be it resolved:

a) **That the responsibility for all municipal services revert to the area municipality level;**

b) **That the following principles as espoused by the Provincial Task Force on Disentanglement, (the Hopcroft report) will guide the allocation of roles and responsibilities for the policy/service management, delivery and funding of services:**

i) to the extent that income redistribution is a program or service objective, policy/service management and program financing should be a Provincial responsibility;
ii) the degree of involvement for each level of government should be determined by the type and level of spillover (effect beyond municipal boundaries);
iii) services should be produced at the level of government that can do so most economically;
iv) services should be delivered by the level of government that can do so most effectively;
v) the degree of involvement in policy/service management for each level of government should be dictated by the level of interest or the needs for standards;
vi) the allocation of policy/service management, financing and delivery responsibilities should be based on promoting accountability.

c) **That where economies of scale or other factors in production or delivery of a service warrant the provision of those services on a collaborative or cooperative basis, such services continue to be provided through inter-municipal service agreements."**

Chairman T. Cooke ruled the motion out of order. Councillor H. Merling challenged the ruling of the Chair. The Clerk called for those members of Council in favour of sustaining the Chair to please so indicate. The Clerk called for those members of Council not in favour of sustaining the Chair to please so indicate. The Clerk announced that the Chair was **NOT SUSTAINED** on a standing unrecorded vote of 9-15.

(Wade/Caplan)
That the notice of motion put by Councillor B. Charters at the Regional Council meeting of January 24, 1995, and debated at the Regional Council meeting of March 7, 1995, respecting "the responsibility for all municipal services reverting to the area municipality level", be tabled until the final report from the Constituent Assembly on the Municipal Government System in Hamilton-Wentworth is tabled.

The tabling motion was **DEFEATED** on the following division:

Yeas: Cooke, Agro, McCulloch, Drury, Morrow, Caplan, Wade, Sloat, D'Amico, Ross, MacIntyre, Etherington, Shaw
Total Yeas: 13

Nays: McMeekin, Braden, Copps, Wilson, Addison, Prentice, Kiss, Anderson, Merling, Charters, Jackson, Bain, Agostino
Total Nays: 13

(Agostino/D'Amico)
That the notice of motion put by Councillor B. Charters at the Regional Council meeting of January 24, 1995, and debated at the Regional Council meeting of March 7, 1995, respecting "the responsibility for all municipal services reverting to the area municipality level", be referred to the Constituent Assembly on the Municipal Government System in Hamilton-Wentworth and to the Area Municipalities for information.

This referral motion **CARRIED** on the following division:

Yeas: Cooke, McCulloch, Drury, Addison, Prentice, Kiss, D'Amico, Ross, MacIntyre, Etherington, Anderson, Shaw, Bain, Agostino
Total Yeas: 14

Nays: McMeekin, Braden, Copps, Wilson, Morrow, Caplan, Wade, Sloat, Merling, Charters, Jackson
Total Nays: 11

7. (a.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 August 18

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: City Committees served on by former Alderman D. Agostino

RECOMMENDATION:

That consideration be given to determining the manner and timing of appointments to those Committees served on by former Alderman D. Agostino.

Susan K. Reeder,
per JJSchatz.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

While on City Council, former Alderman D. Agostino was appointed to serve on the following Committees:

Transport and Environment Committee
Finance and Administration Committee
Hamilton-Scourge Committee
Hamilton Parking Authority
Canadian Football Hall of Fame and Museum Committee
Selection Committee

As members of the Committee are aware, the Transport and Environment Committee, Finance and Administration Committee and the Hamilton-Scourge Committee appointments are made on the basis of an Alderman from each Ward.

The appointments to the Hamilton Parking Authority, the Canadian Football Hall of Fame and Museum Committee and the Selection Committee are appointments made at large by Council.

CITY OF HAMILTON

- RECOMMENDATION -

7. (b.)

DATE: 1995 August 3

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

AUG 3 1995

SUBJECT: Licence Agreement - Stand No. 176
Hamilton Farmers' Market - Coffee Shop
Burton and Marguerite Hubbard and
Corrado Belacca

RECOMMENDATION:

That the City enter into a five year Licence Renewal Agreement with Burton and Marguerite Hubbard and Corrado Belacca, which shall expire on 2000 August 31, for the continued operation of the Hamilton Farmers' Market Coffee Shop, Stand No. 176, at a monthly rate of $439. for 1995, to be adjusted during the term of the Agreement at the pleasure of Council.

S. F. Holloway for
J. J. Schatz

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Continued revenue for the Coffee Shop at the rate of $439. per month is provided for in the 1995 Current Budget.

BACKGROUND:

The existing Licence Agreement provides for the following:

6. Option to Renew

"Where the Licensees have complied with the terms and conditions contained in this Agreement, the City may, at its complete discretion, renew this Agreement in favour of the Licensees for a further period of five (5) years, commencing from the date of the termination of this Agreement, upon the same terms and conditions contained in the Agreement, excepting this option to renew and save as otherwise varied, in writing, by the City. The Licensees shall give the City three (3) months' written notice, prior to the expiration of this Agreement, of its desire to have this option renewed in their favour."

The Department supports the exercising of the option in that the current Licensees are in full compliance with the current Agreement in all aspects.

c.c.: A. Zuidema, Law Dept.

8.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 16 August 1995

REPORT TO: Susan K. Reeder, Secretary
Finance & Administration Committee

FROM: Crystabelle Fobler, Secretary
Bingo Hall Review Committee

SUBJECT: **Bingo Country - Relocation Application - 75 Frid Street**

RECOMMENDATION:

(a) that the relocation application by Dabber Bingo Holdings Inc., operating as Hamilton Bingo Country to relocate its Bingo Hall from 690 Main Street West to 75 Frid Street, be approved; and,

(b) that as required in the Provincial Criteria & Procedures for Bingo Halls, the City inform the applicant in writing of its decision and forward the decision to the Registrar, Gaming Control Commission, Ministry of Consumer & Commercial Relations.

(c) For the information of City Council, copies of the application and relevant background material will be provided under separate cover.

Crystabelle Fobler

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

This report is being forwarded to the Finance and Administration Committee for information purposes only, and transmittal to City Council.

On 1995 August 14, the Bingo Hall Review Committee met to consider the application to relocate the Bingo Hall from 690 Main Street West to 75 Frid Street, Hamilton.

It was reported by staff that this relocation application fulfilled the requirements outlined in the Province's Criteria and Procedures for Bingo Halls.

Submissions were received from the applicant, the President of Hamilton Bingo Country Sponsors Association, a legal representative of a bingo hall operator opposed to the application for relocation, two representatives from charities and a bingo hall owner who supported the application for relocation.

It was the decision of the Committee to approve the above application for the following reasons:

- The application for relocation complies with the requirements as outlined in the Provincial Criteria and Procedures for Bingo Halls.

- The relocation of the existing bingo hall will be to a new facility to be constructed with separate HVAC (heating, ventilation and air conditioning) systems, for both non-smoking and smoking bingo patrons.

- The Hamilton Bingo Country Sponsors Association unanimously support the application for relocation.

- The applicant advised that the new bingo hall will be ready for occupancy on 1995 October 1 which would mean no loss of charity proceeds to the affected charitable organizations inasmuch as there would be no down time with one hall closing and the other opening at the same time.

- This application is for the relocation of an existing Class "A" Bingo Hall and will not increase the total number of bingo halls in the City with stands at four (4).

- The new location is less than 1 kilometre away from Bingo Country's existing location; therefore, relocation to the new site will not adversely affect the market area of the other existing bingo halls.

- The new site complies with the City's Zoning By-law and all other Municipality By-laws.

For your information, copies of the application and other documents are available from the Secretary.

9.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 August 17

REPORT TO: S.K. Reeder, Secretary
Finance and Administration Committee

FROM: J.G. Pavelka, P.Eng
Chief Administrative Officer

D.W. Vyce
Director, Property Department

SUBJECT: **Energy Management of Municipal Facilities**

RECOMMENDATION:

a) That the City of Hamilton pursue the opportunity of retaining the energy management services from OMEIF (Ontario Municipal Energy Improvement Facility) to provide a cost effective strategy for retrofitting municipal facilities to conserve energy and water; and,

b) That City staff liaise with OMEIF staff to evolve this energy management strategy and whatever services are required and bring this information back to a subsequent Finance and Administration Committee meeting; and,

c) That Council authorize the Mayor and City Clerk to sign the Memorandum of Understanding between the City of Hamilton and OMEIF in a form satisfactory to the City Solicitor.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

None at this point-in-time.
Any future costs to be identified in subsequent reports.

BACKGROUND:

OMEIF is a not-for-profit organization funded through the Ontario Ministry of Environment and Energy (MOEE), Ontario Hydro and Consumers Gas to take advantage of their collective experience and knowledge in energy and water management and to work with municipal organizations to evolve a management strategy for retrofitting municipal facilities to conserve energy and water.

Initially, OMEIF will undertake, at its own cost, the pre-engineering in conjunction with the City of Hamilton, to create a strategic plan for the purposes of identifying both energy and water saving opportunities

OMEIF will provide pre-engineering and when co-ordinated with the City of Hamilton's administration will result in a strategic plan. The activities relating to pre-engineering will include the following:

- initial collection and analysis of energy use data and square footage of the facilities.
- audits of all facilities for the purposes of identifying specific retrofit projects, the anticipated savings and the expected project costs.

In the same way, the City of Hamilton has developed programs to maintain, prioritize and fund other aspects of municipal infrastructure such as streets, sidewalks, street lights, parks and trees, this strategic plan will identify the following:

1. plan for project implementation
2. project costing
3. life cycle costing
4. CO_2 emission reductions
5. financing options and
6. resource requirements

Representatives from OMEIF have met with the City of Hamilton's staff to outline their organization's capabilities and left the attached Memorandum of Understanding (MOU).

Mr. Dan Goldberger, Director
Mr. Robert Kerr, Senior Technical Manager

The Memorandum of Understanding (MOU) outlines the work that OMEIF will undertake at the different stages of the study.

At this point in time, staff have not gone out to other organizations or consultants to determine if these capabilities are available elsewhere. Accordingly, when evolving this energy management strategy, staff will canvass other organizations to ensure any fees charged by OMEIF are the lowest to provide this type of work to the organization.

JGP:dd
Attach.

A Memorandum of Understanding (MOU)
between
The Ontario Municipal Energy Improvement Facility (OMEIF)
for
The International Council for Local Environmental Initiatives (ICLEI)
and
The City of Hamilton (The Municipality)

A. OBJECTIVES

This Memorandum of Understanding outlines the commitments of ICLEI, the OMEIF and the City of Hamilton for the purposes of retrofitting municipal facilities to conserve energy and water. OMEIF provides cost-effective technical and financial assistance to municipal governments who are politically committed to retrofit their municipally owned buildings. By utilizing the OMEIF's services, municipal governments can save energy and water, reduce costs, lower harmful CO_2 emissions, improve worker productivity, and create jobs. A political commitment to the process will provide direction to municipal staff.

B. BACKGROUND

The OMEIF is a not-for-profit organization, funded through signed agreements, between ICLEI, the Ontario Ministry of Environment and Energy (MOEE), Ontario Hydro and Consumers Gas with a stakeholder steering committee made up of individuals from MOEE, Ontario Hydro, Consumers Gas, Canadian Association of Energy Service Companies (CAESCO), Ontario Energy Corporation , Association of Municipalities of Ontario, Municipal Councils, the Ontario Housing Corporation, and ICLEI. This broad based committee is instrumental in furthering the aims of OMEIF and ensuring that the targets laid out in the contracts are achieved. Further background information is provided in Appendix "A"

C. OMEIF SERVICES

The value of the OMEIF is reflected in the fact that all activities relating to the services listed below maximize the expertise and resources available through OMEIF's partners. These partners are represented on the Steering Committee described in Section B above.

Initial Service

The OMEIF can initially provide the Municipality with the following service:

- The OMEIF will provide pre-engineering leading to the creation of a Strategic Plan (as described in Appendix "B") for the purposes of identifying energy and water saving opportunities, project implementation planning, project costing, life cycle costing, CO_2 emission reductions, financing options, resource requirements and local economic impacts.

Subsequent Services

Upon delivery of the Strategic Plan and acceptance by the Municipality, the OMEIF can act as the agent for the Municipality. OMEIF would make available, at a price to be negotiated, the following services in the form of a contract between OMEIF and the Municipality:

- The OMEIF will work with the Municipality in **creating a Request for Proposal (RFP)** to be used in the procurement process of work defined in the Strategic Plan.

- The OMEIF will work with the Municipality on the **evaluation of the responses to the RFP,** bring forward a short list to the Municipality, and--in cooperation with the Municipality-- identify the contractor and/or Energy Services Company (ESCO) to do the work;

- The OMEIF will make available, from its **Talent Bank,** qualified individuals who can be hired by the Municipality on a contractual basis to act in a project management capacity during the retrofit period;

- The OMEIF will arrange **non-recourse financing (off balance sheet)** through its sources at a competitive rate which will be negotiated based on project specifications;

- The OMEIF will provide **monitoring and verification** throughout the retrofit. This service will provide unbiased, third party information on the results of retrofit projects in a form agreed upon between the municipality and the contractor and/or ESCO; and

- The OMEIF will make available an **awareness program** to keep all parties informed (staff, residents, management, council members contractors etc.) as needed during the retrofit phase of the project in conjunction with the management of the Municipality.

OMEIF will make these services available on a **cost recovery basis. The Municipality, at its pleasure, may pick any or all of the aforementioned services.**

D. The Municipality undertakes to:

Commit to enter into negotiations with OMEIF for the purposes of identifying the scope of work and pricing to excecute the activities relating to pre-engineering leading to the creation of a Strategic Plan (as described in Section C, Intital Service).

E. The OMEIF undertakes to:

Commit to enter into negotiations with the Municipality for the provision of a pre-engineering study leading to the creation of a Strategic Plan as well as representation to any and all committees and council as requested.

F. Resolution of Participation

We, The City of Hamilton, recognize the benefits of reducing energy and water consumption in our buildings and facilities. We are committed to the goal of undertaking comprehensive multi-facility energy and water retrofits which are proven economically and environmentally effective thus allowing for the opportunity to save energy, create jobs in the community, reduce budget expenditures, and reduce CO_2 emissions.

Please attach a copy of the formally approved resolution of council approving the Municipality's commitment as described herein.

City of Hamilton-Confirmation of the above Memorandum of Understanding

Name_____

Title_____Date_____

Phone_____ Fax_____

Date of Council approval_____

OMEIF (on behalf of ICLEI) Confirmation of the above Memorandum of Understanding.

Name_____

Title_____Date_____

Phone_____ Fax_____

Appendix "A"

BACKGROUND

The International Council for Local Environmental Initiatives (ICLEI) is a United Nations sponsored agency and the advocate for local governments before national and international governments, agencies and organizations. ICLEI currently has 170 member municipalities world wide working toward the goal of local environmental initiatives along with the reduction of CO_2 emissions leading to positive climate change. In late 1992 discussions took place between ICLEI and the Ministry of Environment and Energy (MOEE) regarding the creation of an agency that would deliver services for the purposes of improving energy efficiency, effecting environmental change and positively impacting local economies in the municipal sector. This lead to the formation of the Ontario Municipal Energy Collaborative (OMEC) which received funding from the MOEE for a two year program. The OMEC was a research collaborative working with 10 communities for the purpose of identifying barriers to energy efficiency in the municipal sector and the identification of solutions to those barriers. The OMEC also acted as a forum for the analysis of ancillary benefits to energy efficiency such as CO_2 emission reductions and local employment benefits. The results of the OMEC lead to the formation of the **Ontario Municipal Energy Improvement Facility (OMEIF).**

Appendix "B"

PRE-ENGINEERING leading to the STRATEGIC PLAN

Pre-engineering as described in the Memorandum of Understanding between OMEIF (for ICLEI) and the Municipality is the collection and analysis of relevant data for inclusion in the Strategic Plan. In order to be as cost effective as possible, all activities relating to Pre-Engineering and the preparation of the Strategic Plan will maximize the services available through OMEIF's partners as represented by the Steering Committee described in Section B of the MOU.

The activities relating to **Pre-Engineering** include, but are not limited to:

- Initial collection and analysis of energy use data and square footage of the facilities described in Section D. of the MOU.

- Walk through audits of all facilities described in Section D. of the MOU for the purposes of identifying specific retrofit projects, the anticipated savings and the expected project costs.

The activities relating to **Strategic Plan** include, but are not limited to:

- Bench marking of the Municipality's existing CO2 emissions and provide projections as to the positive emission effects of the proposed energy retrofit activity.

- Analysis of existing energy management funding activity and comparisons of the cost/benefits of both internal and external funding options.

- Analysis of the anticipated retrofit activity in reference to existing capital maintenance plans.

- Identification and evaluation of partnerships to maximize the technical accuracy and improve the cost effectiveness of all OMEIF services.

- Provision of a local economic impact analysis of the anticipated retrofit activity.

- Provision of an analysis of the non-financial resources necessary for the anticipated retrofit activity.

- Provision of a financial analysis of the incremental cost of post retrofit monitoring and verification and the expected post retrofit benefits.

Appendix "C"

FACILITIES INCLUDED IN PRE-ENGINEERING

- -
- -
- -
- -
- -
- -
- -
- -
- -
- -

TOTAL ENERGY COSTS - $5.7 MILLION
TOTAL AREA - 4.7 SQ. FT.

10.

OFFICE OF THE REGIONAL CLERK

MEMORANDUM

****

TO:	Ms. S. Reeder Legislative Assistant Finance and Administration Committee City of Hamilton	YOUR FILE:	
FROM:	Carolyn A. Biggs Legislative Assistant	OUR FILE: PHONE:	 (905) 546-2604
SUBJECT:	**Special Council - July 12, 1995**	DATE:	1995 July 20

Subjoined please find Item 7.9 which was approved, **as amended,** by Regional Council at its special meeting held on Wednesday, July 12, 1995.

As directed in Sub-section (h) of the recommendations, would you please place this matter before the Finance and Administration Committee of the City of Hamilton for consideration. Also attached is a copy of Report ECO 95-044.

Should you have any questions with respect to this matter, please do not hesitate to contact me.

cab.
Encl.

c.c. N. Catalano, Director of Economic Development

The following item was approved, **as amended:**

7.9 Downtown Revitalization - Greater Hamilton Downtown Community Development Corporation (ECO 95-044)

a) That the concept of establishing a Greater Hamilton Downtown Community Development Corporation be endorsed;

b) That the composition of the Founding Board be as follows:

i) Regional Chairman T. Cooke
ii) Mayor R. Morrow, City of Hamilton
iii) One City Councillor, City of Hamilton
iv) The Chairman or designate of the Downtown Hamilton B.I.A.
v) The Chairman or designate of the International Village B.I.A.
vi) The Chairman or designate of the Lloyd D. Jackson Square Merchants' Association
vii) The Chairman or designate of the Central Area Plan Implementation Committee (C.A.P.I.C.)
viii) The Chairman or designate of the ICI Division of the Metropolitan Hamilton Real Estate Board
ix) The Chairman or designate of the Business Development Sub-Committee of the Hamilton Chamber of Commerce
x) The Chairman or designate of the Hotel Association of Hamilton (being established at time of this report)
xi) A representative from a financial institution within the downtown core
xii) One resident of the Ward;
xiii) One Area Member of Regional Council;

c) That a Nominating Committee comprised of representatives from b(i)-(x) **and (xiii)** above, be established to identify candidates for b(xi) and (xii) above;

d) That the Founding Board of the Greater Hamilton Downtown Community Development Corporation be requested to prepare the following:

i) the Mandate and Objectives of the Greater Hamilton Downtown Community Development Corporation

ii) the Boundaries of the Greater Hamilton Downtown Community Development Corporation

with the condition that the formal Mandate and Objectives and the Boundaries be approved by City and Regional Councils prior to being forwarded to the Province for approval;

e) That the Founding Board of the Greater Hamilton Downtown Community Development Corporation be requested to create the following:

i) a Working Plan (Community Strategic Plan)
ii) an Operating Budget
iii) a Draft By-law
iv) identify the general membership structure

with a condition that the formal Working Plan (Community Strategic Plan), the Operating Budget, Draft By-law and general membership structure be approved by City and Regional Council's prior to being forwarded to the Province for approval;

f) That the Founding Board discuss potential revenue for the Greater Hamilton Downtown Community Development Corporation from various public and private sectors prior to submitting the yearly Operating Budget to Council for approval;

g) That the Downtown Development Corporation Staff Committee be authorized and directed to work with the founding Board on subsections d) and e) above;

h) That these recommendations be forwarded to the Finance and Administration Committee at the City of Hamilton for consideration.

NOTE:

Councillor John Prentice was approved at the Area Regional Council Member to the Greater Hamilton Downtown Community Development Corporation.

CITY OF HAMILTON

- RECOMMENDATION -

11.

DATE: 1995 August 11

REPORT TO: Susan Reeder, Secretary
Finance and Administration Committee

FROM: V.J. Abraham, M.C.I.P.
Chairman, Downtown Initiatives Committee

SUBJECT: City Council Representation on the Founding Board of the Greater Hamilton Downtown Community Development Corporation (GHDCDC).

RECOMMENDATION:

1. That City Council appoint one of its members to serve on the Greater Hamilton Downtown Community Development Corporation's Founding Board.

V. Abraham

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A.

BACKGROUND:

City Council at its meeting held 1995 July 11 approved the concept of establishing a Greater Hamilton Downtown Community Development Corporation (GHDCDC) to provide a vehicle that would partner the public and private sectors and focus its energy on downtown revitalization. The creation of a Founding Board for the GHDCDC was also approved that identified a number of organizations/associations that would have representation on the Board. Mayor Morrow and one Alderman were also identified as members of the Founding Board, therefore a member of City Council needs to be appointed to the Board to meet the requirement for an Alderman.
VJA:HM:hm

12.(a.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 August 9

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Sale of 11 Arthur Avenue South to
Hamilton Habitat for Humanity

RECOMMENDATION:

(a) That an Offer to Purchase Agreement, duly executed by Hamilton Habitat for Humanity (Norm Westbury, Chairman), on 1995 July 17 and scheduled to close on or before 1995 October 26, for the purchase of the vacant lot known as part Lot 15 on Plan 165, comprising of a frontage of 27 feet, more or less, along the east side of Arthur Avenue South, by a depth of 123.79 feet, more or less, having an area of 3,311 square feet, more or less, having a municipal address of 11 Arthur Avenue South, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Estate Procedural By-Law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $2 be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,

(b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

(c) That in accordance with Real Property Sales Procedural By-Law No. 95-049:

(i) satisfactory notice has been given to the public of the intended sale;

(ii) an appraisal of the fair market value of the property has been obtained; and

(iii) the City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in a form prescribed pursuant to Section 193 of the Municipal Act.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The amount of $2 be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases).

BACKGROUND:

In compliance with the Real Property Procedural By-Law 95-049, please be advised:

(a) on 1995 July 11, City Council approved Item 20(a) of the 18th Report of the Finance and Administration Committee declaring the subject lands surplus to the requirements of the City; and,

(b) satisfactory notice has been given to the public of the intended sale; and,

(c) an appraisal of the fair market value of the real property intended to be sold was obtained 1995 June 5.

MCJW/hew

c.c. Joe Pavelka, Chief Administrative Officer

P. Noé Johnson, City Solicitor
Attention: J. Lessing

Allan C. Ross, Treasurer

C. Bandurka, Property Clerk, Surveys

(95C-90)


HOLTON AVENUE NORTH
FAIRLEIGH AVENUE SOUTH
FAIRLEIGH AVENUE NORTH
BIRCH AVENUE
BURRIS STREET
STIRTON STREET
HAZEL AVENUE
ARTHUR STREET
GREENWAY AVENUE
ARTHUR AVENUE
SANFORD AVENUE NORTH
MADISON AVENUE
ADAMS ST.
HUNTLEY STREET
WENTWORTH STREET NORTH
MYRTLE AVE.
GLADSTONE AVE.
BURRIS ST.
HARVEY STREET
CANNON STREET
WILSON STREET
KING STREET
ACORN STREET
AVALON PLACE
AIKMAN AVENUE
EAST MAIN STREET
CENTURY ST.
NIGHTINGALE ST.
KING WILLIAM ST.
Regional Road No 112
Regional Road No 123
Regional Road No 107
Regional Road No 176
Regional Road No 177
SUBJECT PROPERTY

12.(a.)(i)

CITY OF HAMILTON

- INFORMATION -

DATE: 1995 August 17

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: 11 Arthur Avenue South

BACKGROUND:

On 1995 July 11 City Council adopted Item 20 of the 18th Report of the Finance and Administration Committee and declared the property at 11 Arthur Avenue South surplus to the requirements of the City. The Director of Property was also directed to prepare an Offer to Purchase Agreement to convey the property for $2. to Hamilton Habitat for Humanity. An Offer to Purchase executed by Hamilton Habitat for Humanity has been forwarded to the Committee for consideration.

In accordance with Provincial Statute (Bill 120) and the City's Realty Sales Procedural By-law 95-049, a sign giving public notice that the property was available for sale was required to be placed on the site. This sign resulted in an unsolicited Offer to Purchase from Marino Rakovic, owner of 756 King Street East, for the appraised value of $18,000. through his solicitor Anthony Powell. A deposit cheque in the amount of $500. accompanied the offer and is being held uncashed. We have also received another expression of interest in the site from the owner of the El Greco Restaurant who would also like to purchase it for parking.

In order that the Committee may have the full background while considering approval of the sale to Hamilton Habitat for Humanity, we are enclosing both a copy of solicitor Powell's letter and the Offer to Purchase from Mr. Rakovic.

RAB/nw

c.c. Alderman Bernie Morelli, Alderman, Ward 3
Alderman D. Drury, Alderman, Ward 3
Joe Pavelka, Chief Administrative Officer
P. Noé Johnson, City Solicitor
Allan C. Ross, Treasurer
V.J. Abraham, M.C.I.P., Director, Local Planning Division

HARVEY
STREET
BIRCH
Regional Road No 128
CANNON
STREET
MADISON
AVENUE
HUNTLEY STREET
ADAMS ST.
AVENUE
WILSON
STREET
GREENWAY AVENUE
HAZEL AVENUE
Regional Road No 175
Regional Road No 127
CENTURY ST.
NIGHTINGALE ST.
WENTWORTH
STREET
KING WILLIAM ST
KING STREET
ACORN STREET
ARTHUR
STIRTON
STREET
FAIRLEIGH AVENUE NORTH
HOLTON AVENUE NORTH
SANFORD
AVENUE
EAST
SUBJECT PROPERTY
AVALON PLACE
BURRIS
FAIRLEIGH AVENUE SOUTH
STREET
NORTH
AIKMAN
AVENUE
MAIN
STREET
EAST
Regional Road No 108
MYRTLE AVE.
GLADSTONE AVE.
BURRIS ST.

PELECH, OTTO & POWELL

Barristers & Solicitors

John C. Pelech, B.A., LL.B.
Robert A. Otto, B.A., LL.B.
Anthony J. B. Powell, B.Sc., LL.B.

149 Main Street East
Suite 200
Hamilton, Ontario

Mailing Address:
Effort Square Postal Outlet
P.O. Box 91206
Hamilton, Ontario L8N 4G4
Telephone (905) 522-4696
Fax (905) 528-6608

August 4, 1995

The Corporation of the
City of Hamilton
Real Estate Department
71 Main Street West
HAMILTON, Ontario

Attention: Mr. Michael Watson

Dear Sir:

RE: 11 Arthur Avenue South
Hamilton, Ontario

We are the solicitors for Marino Rakovac of 1125948 Ontario Ltd., which owns 756 King Street East, in the City of Hamilton, which is adjacent to the above-noted property.

I am advised by my client that he contacted your department the day after the deadline for purchasing the Arthur Avenue property for tax arrears.

I am further advised that he was told on that occasion that he could therefore not pay up the arrears or purchase the property until the City had assessed its position and that he would be called should the City decide to put the property on the market.

Shortly thereafter, my client noticed a For Sale sign and immediately called the Real Estate Department and was advised that unfortunately the City had "sold" the property for $2.00 for the purposes of constructing thereon low income housing.

My client is in the process of completing residential units on the second floor of his property and wishes to purchase the property at 11 Arthur Avenue South for much needed parking.

I am advised by my client that the proposed low income housing would only exacerbate the existing shortage of parking in the area.

My client is the largest Landlord in the immediate neighbourhood and the additional parking that the Arthur Avenue property would provide will be virtually essential with my client's completion of the said residential units.

I am therefore enclosing, on behalf of my client, an Offer (in quadruplicate) to purchase the said lot for the sum of $18,000.00 for the City's immediate consideration together with my client's deposit cheque in the amount of $500.00.

Should you require any further information on my client's intended use of the property and other matters raised in this letter, do not hesitate to contact me.

Yours very truly,

Anthony J. B. Powell
AJBP;sb

c.c Alderman Bernie Morelli

Alderman Donald Drury

AGREEMENT OF PURCHASE AND SALE

PURCHASER: **1125948 ONTARIO LIMITED** offers to buy from

VENDOR: **THE CORPORATION OF THE CITY OF HAMILTON** the following

PROPERTY: fronting on the east side of Arthur Avenue, known municipally as 11 Arthur Avenue, in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth and having a frontage of twenty seven feet more or less by a depth of 123.79 feet more or less and described as Part Lot 15, Plan 165.

at the PURCHASE PRICE OF **EIGHTEEN THOUSAND**--Canadian Dollars ($18,000.00) on the following terms:

1. Purchaser submits with this offer FIVE HUNDRED--Canadian Dollars ($500.00) cash/cheque payable to the Vendor as a deposit to be held by him in trust pending completion or other termination of this Agreement and to be credited towards the Purchase Price on completion.

2. Purchaser agrees to pay the balance of the purchase price, subject to the usual adjustments, in cash or by certified chaque on closing.

2a. Appendix "A" herewith attached will form part of this Agreement.

3. Purchaser and Vendor agree that all existing fixtures are included in the purchase price except those listed hereunder: PARKING LOT.

4. Purchaser agrees that this Offer shall be irrevocable by him until 11:59 p.m. on the 15th day of September, 1995, after which time, if not accepted, this Offer shall be null and void and the deposit shall be returned to Purchaser without interest or deduction.

5. This Agreement shall be completed on the 29th day of February, 1995. Upon completion, vacant possession of the property shall be given to the Purchaser.

6. Purchaser shall be allowed until 11:59 p.m. on the 15th day of February, 1996 to examine the title to the property, at his own expense, to satisfy himself that there are no outstanding work orders affecting the property, that its present use: **PARKING LOT** may be lawfully continued.

7. Purchaser acknowledges having inspected the property prior to submitting this Offer and understands that upon Vendor accepting this Offer there shall be a binding agreement of purchase and sale between Purchaser and Vendor.

8. Provided that the title to the property is good and free from all encumbrances except as aforesaid and except for any registered restrictions or covenants that run with the land providing that such are complied with and except for any minor easements to public utilities required for the supply of domestic utility services to the property. If within the time allowed for examining the title any valid objection to title, or to any outstanding work order, or to the fact the said present use may not lawfully be continued, or that the principal building may not be insured against risk of fire is made in writing to Vendor and which Vendor is unable or unwilling to remove, remedy or satisfy and which Purchaser will not waive, this Agreement, notwithstanding any intermediate acts or negotiations in respect of such objections, shall be at an end and all monies theretofore paid shall be returned without interest or deduction and Vendor and

Vendor's Agent shall not be liable for any costs or damages. Save as to any valid objection so made by such day and except for any objection going to the root of the title. Purchaser shall be conclusively deemed to have accepted Vendor's title to the property.

9. Vendor and Purchaser agree that there is no condition, express, or implied, representation or warranty of any kind that the future intended use of the property by Purchaser is or will be lawful except as may be specifically stipulated elsewhere in this Agreement.

10. Purchaser shall not call for the production of any title deed, abstract, survey or other evidence of title to the property except such as are in the possession or control of Vendor. Vendor agrees that, if requested by the Purchaser, he will deliver any sketch or survey of the property in his possession or within his control to Purchaser as soon as possible and prior to the last day allowed for examining title.

11. Rents, mortgage interest, taxes, local improvements, water and assessment rates and the cost of fuel shall be apportioned and allowed to the date of completion (the day itself to be apportioned to Purchaser).

12. The deed or transfer shall, save for the Land Transfer Tax Affidavit, which shall be prepared and completed by the Purchaser, be prepared in registrable form at the expense of Vendor.

13. Time shall in all respects be of the essence hereof provided that the time for doing or completing of any matter provided for herein may be extended or abridged by an agreement in writing signed by Vendor and Purchaser or by their respective solicitors who are specifically hereby authorized in that regard.

14. Any tender of documents or money hereunder may be made upon Vendor or Purchaser or their respective solicitors on the day set for completion of this Agreement. Money may be tendered by bank draft or cheque certified by a Chartered Bank, Trust Company, Province or Ontario Savings Office, Credit Unit or Caisse Populaire.

15. If there is a conflict between any provision in any Appendix(s) to this Agreement (whether written, typed or otherwise) and any provision in the remainder of this Agreement, the provision in any Appendix(s) to this Agreement shall supersede any provision in the remainder of this Agreement to the extent of such conflict.

16. This Agreement shall constitute the entire agreement between Purchaser and Vendor and there is no representation, warranty, collateral agreement or condition affecting this Agreement or the property or supported thereby other than as expressed herein in writing.

17. This Agreement shall be read with all changes of gender or number required by the context.

DATED at Hamilton this 4th day of August, 1995.

SIGNED, SEALED & DELIVERED) IN WITNESS whereof the Purchaser
) has signed this Agreement:
in the presence of:) Yr Month Dy
) 1125948 ONTARIO LIMITED 95 08 04
) per:
Witness) _____
Purchaser

The undersigned accepts the above Offer.

DATED at Hamilton this day of , 1995.

SIGNED, SEALED & DELIVERED) IN WITNESS whereof the Vendor
) has signed this Agreement:
in the presence of:) Yr Month Dy
)
)
_____) _____
Witness) Vendor
)

Agrp&s.3

APPENDIX "A"

1. The Vendor hereby represents, warrants and agrees to and with the Purchaser subject to the limitations, if any, expressed the following:

(a) the Vendor will at the closing Date have full and absolute right and power to convey and transfer to the Purchaser or cause to be conveyed or transferred to the Purchaser good and marketable title to the Property free of any lien, charge, encumbrance, restrictive covenant, easement tenancy or possessory right except for the following: any registered restrictions or covenants that run with the land providing that such are complied with and except for any minor easements to public utilities required for the supply of domestic utility services to the property.

(b) the Vendor has no notice of any existing, pending or threatened action or proceeding arising out of the condition of the property or the violation of any environmental, health or safety statutes or regulations.

(c) the Property does not contain any hazardous substances, oils, contaminants, liquid industrial wastes, or nuclear wastes.

2. The Vendor covenants and agrees with the Purchaser as follows:

(a) prior to the Closing Date, to permit the Purchaser and all persons authorized by it to enter on the Property at all reasonable times for the purposes of inspection, conducting soil and environmental tests, preparing surveys and plans and to allow completion of site plan or building permit requirements where feasible. Vendor shall provide an authorization letter upon request;

12. (b.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 August 18 AUG 18 1995

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Offer to Purchase - Sale of City Property
401-403 King Street West, formerly Wesley House
to Bruce Laracy

RECOMMENDATION:

(a) That an Offer to Purchase Agreement, duly executed by Bruce Laracy, on 1995 July 27 and scheduled to close on or before 1995 September 20, for the lands municipally described a 401-403 King Street West, being Lot 4 and part Lot 3, Registered Plan No. 65, Hamilton, having a frontage of 18.22 metres (59.77 feet), along the south side of King Street West and a depth of 40.23 metres (132 feet) more or less, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and funds derived from this sale of $125,000., less commission, be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,

(b) That the required deposit cheque in the amount of $12,500. be held by the City Treasurer pending Council approval; and,

(c) That upon successful completion of this sale, a real estate commission of 2.5% on the $125,000. sale price be paid to Coldwell Banker Elite Realty, who acted in this matter; and,

(d) That $100,000. of the revenue derived from the sale of 401-403 King Street West be conveyed to the Community Adolescent Network (formerly Wesley House), the former occupant of the subject property, to assist in the purchase of the vacant parcel of land on which its' new facility has been erected, as approved by City Council on 1988 April 28. This contribution by the City, to be debited to Account No. CH 5X921 00102, shall have attached to it a "Disposition of Assets" clause, to be negotiated with the Community Adolescent Network and the Province of Ontario, which will in effect state that the City will receive a percentage of any revenues derived from the sale of the property in future years in the event it ceases to be used as a youth home; and,

(e) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

(f) That in accordance with Real Property Sales Procedural By-law No. 95-049:

(i) satisfactory notice has been given to the public of the intended sale;

(ii) an appraisal of the fair market value of the real property intended to be sold was obtained on the 11th day of July 1995;

(iii) the City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The sum of $125,000., less commission, be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases). Out of that sum, $100,000. will be transferred to the Community Adolescent Network to be debited from Account No. CH 5X921 00102. This transfer will be conditional upon the negotiation of a "Disposition of Assets" clause between the City, Community Adolescent Network and the Province.

BACKGROUND:

The subject property was purchased by the City in 1969 and has since been used as a residential care facility for adolescents. On the property there exists two 2½ storey, semi detached brick dwellings that were converted to one residential care facility in the 1960's. The existing commercial "H" zoning recognizes the existing Residential Care Facility for the accommodation of twelve (12) residents as a legal non-conforming use.

The Community Adolescent Network until very recently, occupied the property and have now moved to their new facility, leaving 401-403 King Street West vacant.

In compliance with the Real Property Sales Procedural By-law No. 95-049, I am reporting to your Committee:

(a) On 1995 June 27, City Council approved Item 24 of the 17th Report of the Finance and Administration Committee declaring the subject lands surplus to the requirements of the City;

(b) that in accordance with the approved methods of Notice to the Public in Real Property Sales Procedural By-law 95-049, the Director of Property has placed a "For Sale" sign on the subject property which included the City's name and telephone number on the 15th day of July 1995, to inform the public that the City intends to sell the said subject land;

(c) the sale of the subject land falls within the range of value which has been determined through an appraisal of the subject's fair market value.

City Council at its meeting of 1988 April 26 approved a resolution that a maximum of $100,000 of the revenue derived from the sale of 401-403 King Street West be used to assist in the purchase of an alternate parcel of vacant land upon which Wesley House (now known as Community Adolescent Network) could erect a new structure to house its' organization. This financial contribution by the City was conditional upon the new property acquired by Wesley House being used solely for the purposes of a youth home. Further, the contribution would have attached to it a "Disposition of Assets" clause, that would state that the City will receive a percentage of any revenues derived from the sale of the property in future years in the event it ceases to be used as a youth home.

The purchaser, Mr. Laracy, plans to use the property for an Accounting Office.

KA/nw

c.c. P. Noé Johnson, City Solicitor

Allan C. Ross, Treasurer

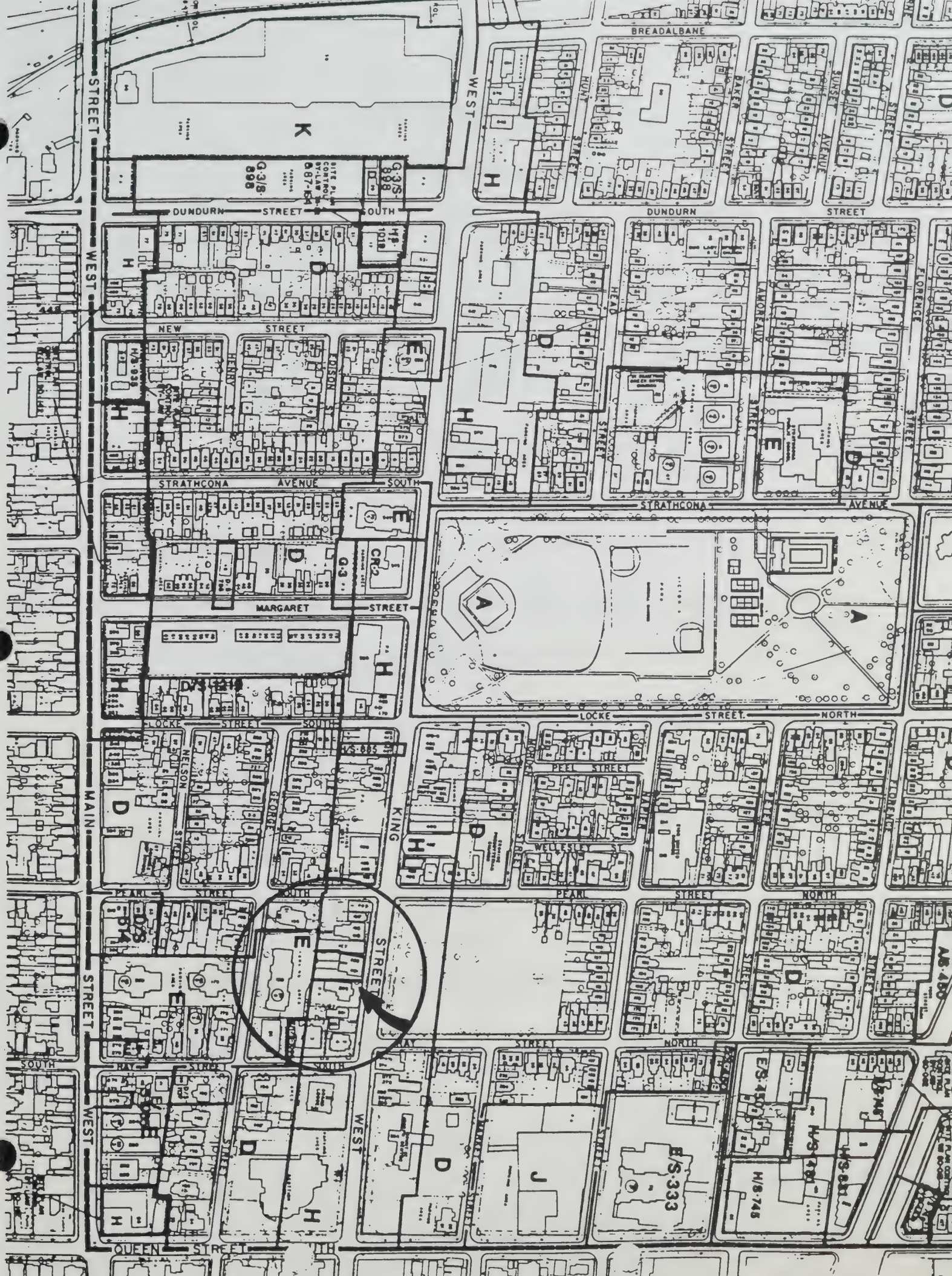
C. Bandurka, Property Clerk, Surveys

R. Swan, Manager, Building Operations and Maintenance Division

Ontario

MINISTRY OF REVENUE
ASSESSMENT DIVISION
REGIONAL OFFICE No. 19

CITY OF HAMILTON
ASSESSMENT MAP SHEET Nº 71


BREADALBANE
DUNDURN STREET
DUNDURN STREET SOUTH
NEW STREET
STRATHCONA AVENUE SOUTH
STRATHCONA AVENUE
MARGARET STREET
LOCKE STREET SOUTH
LOCKE STREET NORTH
PEARL STREET SOUTH
PEARL STREET NORTH
PEEL STREET
WELLESLEY STREET
KING STREET WEST
MAIN STREET WEST
QUEEN STREET
HAY STREET SOUTH
HAY STREET NORTH
WEST
NELSON STREET
HENRY STREET
LOGAN STREET
GERRARD STREET
PARK STREET
BAKER STREET
SUSSEX AVENUE
ARMOURY STREET
FLORENCE STREET
BROCK STREET
A
D
E
H
J
K
E/S 333
H/S 745

13.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 August 15

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

D. W. Vyce
Director of Property

SUBJECT: Treasury Renovations - Construction Contract

RECOMMENDATION:

1. That the construction contract for the Treasury Department renovations including security improvements and vault improvements be awarded to the overall low bidder STF Construction Limited, 148 Stapelton Ave., Hamilton at a cost of $208,289.88 including G.S.T. of $13,626.44, and,

2. That the estimated G.S.T. rebate of $7,824.30 be used as contingency funds; and,

3. That the Construction Contract be finalized by the City Solicitor, and,

4. That the Mayor and the City Clerk be authorized to execute the contract on behalf of the City.

5. The funds are available in Account No's. CF 319141005 Treasury Renovations, CF 3191 41004 Security improvement requirements - City Hall and CF 3191 41003 - Accommodation requirements - City Hall.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Available funds after previous approvals (Acc. # CF 319141005, CF 319141004, CF 319141003)	$215,901.47
less funds required for this reconstruction	$208,289.88
Balance	$ 7,611.59

There are no staffing or legal implications.

BACKGROUND:

1. STF Construction Limited is the overall low bidder of the four bids received and is recommended by the Consultants, Stephen Teeple Architect. This work incorporates previously approved security measures, vault improvements and Treasury Department Renovations.

2. STF Construction Limited tendered base bid was $250,635.73 which was the second low base bid at tender closing. After factoring the alternate prices, STF Construction Limited's net price $208,289.88 is lowest among all bidders. Attached spread sheet in Appendix 'A' contains details.

3. The bulk of the renovations work will be carried out, if necessary, during week-ends and after work hours to minimize the disruption. The contract has allowed 30 working days to complete the work.

4. The design utilizes maximum natural light by reducing the offices near windows from existing 11 to 5 and permits more natural light to general office areas. It also provides for small meeting rooms for appropriate setting to conduct confidential discussions with taxpayers, pensioners and other clients.

   The design provides for suitable work environment standards and addresses identified health and safety issues.

5. The counter design provides enhanced customer service, allows improved security and controlled access to the Department and has been reviewed by the Barrier Free Design Sub-Committee.

6. Architect Stephen Teeple's recommendation letter is attached in Appendix 'B'.

c.c. T. Daw, Manager of Revenues
R. Martiniuk, Manager, Architectural Division
J. Avery, Assistant to Manager, Purchasing
Mahendra Shah, Senior Project Manager

ARCHITECTURAL DIVISION
PROPERTY DEPARTMENT
CITY OF HAMILTON

PROJECT NO: AD-89-015
PROJECT MANAGER: M. SHAH
ACCOUNT NUMBER: CF319141005
DATE : 95-08-15

TREASURY DEPARTMENT RENOVATIONS

TENDER ANALYSIS

NO.	BIDDER	BASE BID	TOTAL OF CREDITS TAKEN	NET PRICE *
1	HARM SCHILTHUIS & SONS LIMITE	$249,310.00	$16,910.28	**$232,399.72**
2	**STF CONSTRUCTION LIMITED**	**$250,635.73**	$42,345.85	**$208,289.88**
3	T. R. HINAN CONTRACTORS INC.	$294,000.00	$6,700.00	**$287,300.00**
4	JAMES KEMP CONSTRUCTION	$296,395.00	$14,500.00	**$281,895.00**
	AVERAGE	$272,585.18	$20,114.03	$252,471.15

NOTES:

* Base bid is reduced by the total of credits taken arrive at NET PRICE

LOW BIDDER'S NET PRICE (INCLUDING G.S.T.)	**$208,289.88**
Less G.S.T.	$13,626.44
NET CONTRACT AMOUNT	**$194,663.44**

LIST OF CREDITS TAKEN

1 Delete gypsum board cover to columns
2 Delete insulation from walls to managers offices
3 Delete fabric wall covering to managers offices
4 Delete wood covers to storage cabinets in managers offices
5 replace 18"x18" carpet tiles with 6'x6' carpet tiles
6 Delete q-bollards system
7 Replace wood base to vinyl base
8 Delete cleaning of air induction section at perimeter
9 Replace duracron finish to clear anodized finish for sliding door
10 Delete cleaning and relamping of all existing fluoreacent fixtures
11 Delete door 105 at vault 105
12 Use standard eggcrate



August 14, 1995

City of Hamilton
Architectural Division
City Hall
71 Main Street, West
Hamilton Ontario L8N 3T4

Attention: Mr. Mahendra Shah, Senior Project Manager

Dear Mahendra:

Re: Hamilton Treasury Department Renovations

We have reviewed the bids for the tender of the above noted project submitted on August 8, 1995, as well as additional alternative prices submitted on August 11, 1995, by the two low bidders.

We concur with your tender analysis that STF Construction Limited submitted a complete bid and that their price, including selected alternative prices, is the low bid.

We have reviewed several references provided by STF and have received good to excellent recommendations from their previous clients and architects involved with their projects.

As such, we highly recommend that STF Construction Limited be awarded the construction contract for this project.

Sincerely,

Chris Radigan

Chris Radigan, Associate
Stephen Teeple Architect

511 King Street W., Ste. 300
Toronto, Canada
M5V 1K4
Tel. 416-598-0554
Fax 416-598-1705

14.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 August 14

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Chief G. Baker
Hamilton Fire Department

D. Vyce
Director of Property

SUBJECT: Fire Station 4 - Macassa Park
Post Construction Improvements

RECOMMENDATION:

1. That the revisions to the fire alarm system, improvements to the Communications Centre, additional storage facilities and other items as per attached list be approved for the Fire Station 4 - Macassa Park; and,

2. That an estimated amount of $ 60,000. including the contingency amount of $6,000. be charged to account number CF 489241009 (Fire Station - Sherman & Fennell).

G. Baker

D. Vyce

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Available Balance	348,444.86
less required funds	60,000.00
REMAINING BALANCE	**288,444.86**

There are no staffing or legal implications.

contd...

BACKGROUND:

Many of the items on the attached list are the result of the actual working environment needs and are related to health and safety requirements. All of the items will result in the efficient task delivery by the staff.

Items such as the revision to the gas stove hood, metal stairs to the storage area in the apparatus bay, shelves in the closets etc., were deferred as change orders during construction because the contractor Bufalino & Sons, was quoting abnormally high prices.

This recommendation has been approved by the Capital Budget Sub-Committee at its meeting on Monday, July 10, 1995, since it is a revision to the original scope of the work.

MS/am
attachment

cc G.H. Smith, Deputy Fire Chief, Fire Department
R.E. Martiniuk, Manager of Architectural Division
M. Shah, Senior Project Manager

LIST OF ITEMS

ITEM		QUANTITY (ESTIMATE)	REMARKS
1.	Revisions to Fire Alarm System	1 ($28,000.)	Code Requirement
2.	Stainless Steel Sink in Apparatus Bay	1 (1,000.)	Code Requirement
3.	Revisions to stove vent	1 (2,500.)	Code Requirement
4.	File Cabinets at various locations	8 (5,000.)	Additional Storage Needs
5.	Storage Cabinets	4 (1,500.)	Additional Storage Needs
6.	Millwork shelves @ various closets	- (1,000.)	Revised Needs
7.	Tack Boards	7 (1,000.)	Revised Needs
8.	Coat hooks at 10 locations	- (100.)	Missed in Original Tender
9.	Coat Racks	2 (600.)	Revised Needs
10.	Towel Bars @ various locations	6 (300.)	Revised Needs
11.	Shelves in toilets	3 (200.)	Revised Needs
12.	Audio visual cart	1 (500.)	For Lecture Room
13.	Folding tables	10 (3,000.)	For Lecture Room
14.	Sign Board	1 (500.)	To Direct Visitors
15.	LAMACOID Signs	7 (1,400.)	Revised Needs
16.	Water Fountain	1 (2,800.)	Additional Requirements
17.	Task Chairs	6 (3,000.)	For Communication Centre
18.	Tape Storage unit	1 (800.)	For Communication Centre
19.	File Storage	1 (800.)	Mill Work Item for Communication Centre
		$ 54,000.	
	Contingency	6,000.	
	Total	$ 60,000.	

15.(a.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 August 8

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: John Johnston
Commissioner of Human Resources

SUBJECT: Reclassifications - Public Works and Traffic Department
(C-028-095)

RECOMMENDATION:

1. That the position of Co-ordinator of Parks Development and Maintenance in the Public Works and Traffic Department be reclassified from Level "I" to Level "H" effective January 1, 1994, and;

2. That the position of Manager, Community Traffic Services in the Public Works and Traffic Department be reclassified from Level "I" to Level "H" effective March 1, 1994.

TR:

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Funds are available within the Department's budget to meet the cost associated with these reclassifications. In each case, the increase is under 4% of current salary.

BACKGROUND:

Co-ordinator, Parks Development & Maintenance

The responsibilities of this position have increased significantly since it was last reviewed. In addition to the responsibilities associated with Parks Development, it has assumed responsibility for direction and co-ordination of the Parks Maintenance Section, Community Renewal Section the Waterfront Project and playground equipment design and installation.

The new span of control brings with it a substantially increased degree of responsibility for budgets and human resources and as such, renders the previous classification inappropriate.

Manager of Community Traffic Services

This position too, has changed significantly since it was last reviewed with several additional areas of responsibility being assigned in the recent past. These include the transfer from Regional Police the responsibility of towing abandoned vehicles from City and Regional roadways as well as private properties, processing of driveway approach approvals and the establishment of a "First Attendance Facility" for pre-trial judicial hearings.

In addition, this position has been assigned a "spokesperson" role on behalf of Community Traffic Services which is a weighty responsibility given the high profile of such a role in the community.

In consideration of the additional duties outlined above, a careful review of these two positions places them one salary grade higher than their present classification.

CITY OF HAMILTON

- INFORMATION -

DATE: 1995 August 14

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: John Johnston
Commissioner of Human Resources

15. (b)

SUBJECT: City's Application for Judicial Review of Arbitrator Dempster's Award Regarding H.M.R.F. 0.7% C.P.P. Offset (C-030-095)

BACKGROUND:

In a decision rendered on August 3, 1995, the Divisional Court granted the City's application for a review of the award of Arbitrator John Dempster and, in doing so, quashed the award.

The issue being litigated arose from a grievance filed by the Fire Fighters Association which challenged the long-standing practice of the City's administrators of the H.M.R.F. of reducing the pension of a widow of a fire fighter by what is known as the 0.7% C.P.P. integration factor in situations where the fire fighter had selected an optional pension with a guarantee provision.

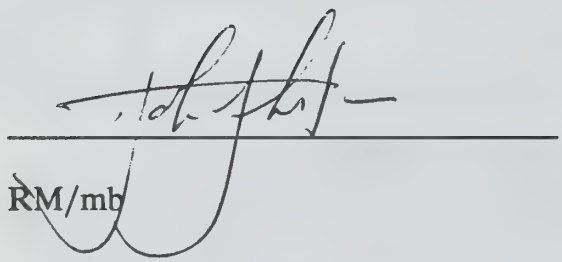
The positions of the two parties can be briefly summarized as follows: the Fire Fighters Association argued that a guaranteed pension is guaranteed and that the City had no authority to reduce the guaranteed amount. The City's position was that the guarantee related to the amount of pension the fire fighter would have received had he been alive and that the widow could not get a greater pension as a consequence of her spouse's death than he, himself would have received while alive.

Arbitrator Dempster, in his award, agreed with the Fire Fighters Association and, in doing so, rejected the City's argument that to not make provision for the C.P.P. integration factor would be a breach of secs. 117(3), (4) of the Municipal Act.

Upon review, the three member panel of the Divisional Court found that the arbitrator had committed an error of law in misinterpreting the above-cited provisions of the Municipal Act. This mistake, which involved the arbitrator in examining the Municipal Act for provisions which provided for the integration factor instead of looking for provisions which

prohibited not using the integration factor, was fatal to his jurisdiction and hence the award was quashed.

A copy of the Court's endorsement of the record is attached for your reference.



RM/mb

Attach.

Hamilton v. Firefighters 345/94

Coram: Reg. Snr. Justice Campbell, O'Brien and McRae JJ.

For applicant: John Murray and Holly Rasky
For respondent: Stanley Simpson

Heard: August 3 1995 **Decided:** August 3 1995

ENDORSEMENT

The arbitrator had jurisdiction to entertain this grievance about the interpretation of the pension rights provided by the collective agreement.

Although his interpretation of the pension rights leads to the startling result that the survivor receives more in total than the deceased spouse would have received if alive, it is not necessary to decide whether his interpretation of the collective agreement and the pension rights was patently unreasonable.

The arbitrator was required to be correct in his interpretation of s. 117 of the Municipal Act, an external statute of general application which limited the arbitrator's jurisdiction. McLeod v. Egan [1975] 1 S.C.R. 517.

The arbitrator erred in his interpretation of s. 117 (3) of the Municipal Act:

(1) in holding that the survivor's pension was not a pension with respect to an employee,

(2) in holding that the Municipal Act did not mandate a maximum, and,

(3) in holding that specific authority in the Municipal Act was required in order to "reduce a guaranteed pension" notwithstanding that the pension contended for exceeded the maximum set out in s. 117 (3).

The arbitrator erred in his interpretation of s. 117 (4) of the Municipal Act because this plan was not in force on December 31, 1965, although the forerunner plan was. The arbitrator relied on article 11 (5) of the plan which did not exist on December 31, 1965 and is not grandfathered.

Section 117 of the Municipal Act compels the result contended for by the applicant.

The application is allowed and the award is quashed.

Costs:

None

3.

CONSENT AGENDA

FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, 1995 August 22nd
1:30 o'clock p.m.
Room 233, City Hall

A. **MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE**

Minutes of the meeting held Tuesday, 1995 July 4th

B. **CITY CLERK**

(i) Request for the Use of the City Hall Forecourt - Saturday, 1995 October 14 - Credit Union Charity Fest

(ii) Use of City Hall forecourt for an Overnight Demonstration - Women's Centre of Hamilton-Wentworth - Wednesday, 1995 September 6 to Thursday, 1995 September 7

(iii) Request for the Use of the City Hall Forecourt - Saturday, 1995 August 5 - "Co-Operation for Peace"

(iv) Use of City Council Chambers - Saturday, 1995 August 19 - Hamilton Mundialization Committee

(v) Diocese of Hamilton Request to Use City facilities - Sunday, 1995 August 6

(vi) Bill - Procedural By-law

(vii) Temporary Extension of Liquor Licence - Hamilton Naval Veterans Association - East End Decoration Day Parade - Sunday, 1995 August 27th

(viii) Temporary Extension of Liquor Licence - Hamilton Naval Veterans' Association - R.C.N.A. Sports Days - 1995 September 27th

(ix) Temporary Extension of Liquor Licence - Main Manor Bar and Cafe, 175 Main Street West - Summers End Charity Barbecue - 1995 September 30th

(x) Extension of hours of liquor licensed venues in the downtown area - Country Music Week - 1995 September 15 - 18

(xi) Special Occasion Permits - World Curling Championships - 1996 March 23 - 31

C. TREASURER

(i) Financing of City's Share of Costs in Wisemount Estates Phase 3 and Edan Heights Phase 3

(ii) Financing of the Construction of an Independent Concrete Sidewalk on the South Side of Rymal Road East from Upper James Street to Springsdale Drive

(iii) Financing of the Construction of an Independent Concrete Sidewalk on the East side of Upper Gage Avenue between the Freeway and Stone Church Road

(iv) Financing of the Construction of an Independent Concrete Curb on the south side of Glenfern Avenue from Mountain Avenue to approximately 32m easterly

(v) Authorization to enter into extension agreements on specific properties for the payment of realty tax arrears

(vi) Tax applications procesed under Section 443, Subsection (5) of the Municipal Act, Chapter 45 Statutes of Ontario, 1990

(vii) Appointment of an External Auditor - Fee Adjustment

(viii) Status of Development Charge Funds

D. DIRECTOR OF PROPERTY

(i) Emergency Roof Repairs

(ii) Realty Sales Procedural By-law 95-049, Declaration of Surplus Property

E. COMMISSIONER OF HUMAN RESOURCES

Appointments to and Terminations from Permanent Positions with the Corporation of the City of Hamilton

F. CITY SOLICITOR

(i) Bill - Refreshment Vehicles

(ii) Bill - Eating Establishments

(iii) Bill - Interior Advertising in Taxi-Cabs

(iv) Bill - Adult Video By-law (copy to follow)

G. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE

Information Items

Tuesday, 1995 July 4
1:30 o'clock p.m.
Room 233, City Hall

A.

The Finance and Administration Committee met.

There were present: Alderman B. Charters, Chairman
Alderman D. Ross, Vice-Chairman
Mayor Robert M. Morrow
Alderman D. Drury
Alderman T. Anderson
Alderman D. Wilson
Alderman M. Kiss
Alderman D. Agostino

Regrets: Alderman V. Agro - vacation

Also present: Alderman H. Merling
Alderman F. Eisenberger
Alderman F. D'Amico
Alderman T. Jackson
Alderman M. Caplan
J. Pavelka, Chief Administrative Officer
A. Ross, Treasurer
P. Noé Johnson, City Solicitor
S. Hollowell, Acting City Clerk
D. Lobo, Commissioner of Public Works and Traffic
D. Farquhar, Public Works
R. Sabo, Law
P. Barkwell, Law
P. Lampman, Building
B. Janssen, Planning
H. Milsome, Public Works
T. Daw, Treasury
R. Menagh, Human Resources
D. Vyce, Director of Property
N. Catalano, Economic Development
V. Abraham, Director of Local Planning
J. Hindson, Director of Information Systems
K. Beattie, Treasury
Susan K. Reeder, Secretary

A G E N D A

ADDED - PRESENTATION

The Chairman made a presentation to Mr. Douglas J. Farquhar of the Public Works and Traffic Department on successfully completing the University Education Program of The Canadian Institute of Certified Administrative Managers.

A. DELEGATION - Owen Boris, City's representative on the Constituent Assembly - status update

Mr. Boris, the City's representative on the Constituent Assembly, along with Raffaella Cowell of the Regional C.A.O.'s Office appeared before the Committee to provide a status update on the activities of the Constituent Assembly. Mr. Boris distributed copies of his presentation to members of the Committee.

The Committee then discussed the Public Meeting Schedule and Work Plan. Considerable discussion also ensued on the actions being taken by the area municipalities in forming their position of government restructuring. Questions were also asked by the Committee about the funding for the work of the Constituent Assembly.

Reference was also made to the requests being made of City staff for information by the Constituent Assembly. In this regard, the Committee approved the following:

(a) That staff be directed to assist the Constituent Assembly in their requests for information; and,

(b) That should there be concerns on the extent of the time involved in meeting the request, that the request be referred to the Chief Administrative Officer; and,

(c) That the information provided by staff to the Constituent Assembly, also be provided in the same manner to the Finance and Administration Committee.

A considerable amount of discussion then ensued on whether the City should formulate its own position now of government restructuring. As this was proving to be a lengthy discussion, and there were a number of delegations and matters on the Agenda, the Committee agreed to table this matter until the end of the meeting.

Secretary's Note:

At the end of the meeting, the Committee again discussed the issue of a City position, and on the recommendation of the Mayor, the following resolution was approved:

> That a Special Committee consisting of Mayor Morrow and eight Aldermen be struck to draft a position on local government restructuring which can be presented to The Constituent Assembly.

1. **DOWNTOWN INCENTIVES COMMITTEE - Downtown Revitalization - Greater Hamilton Downtown Community Development Corporation**

The Committee was in receipt of a report from the Chairman of the Downtown Incentives Committee dated 1995 June 28, respecting the above noted matter.

Wolfgang Schwen of the International Village B.I.A. and Gerry Atard of the Downtown Promenade spoke to the Committee in support of the proposed Greater Hamilton Downtown Community Development Corporation. Tanya Melnyk, Director, Community Renewal Branch of the Ministry of Municipal Affairs was also in attendance to support the initiative. She indicated that Burlington has already entered into such a Corporation, and that Hamilton will be the second municipality to establish a Downtown Community Development Corporation.

General discussion then ensued on this matter, and the Committee approved the following:

(a) That the concept of establishing a Greater Hamilton Downtown Community Development Corporation be endorsed; and,

(b) That the composition of the Founding Board be as follows:

(i) Mayor Morrow
(ii) Regional Chairman Cooke
(iii) One Alderman
(iv) The Chairman or designate of the Downtown Hamilton B.I.A.
(v) The Chairman or designate of the International Village B.I.A.
(vi) The Chairman or designate of the Lloyd D. Jackson Square Merchants' Association
(vii) The Chairman or designate of the Central Area Plan Implementation Committee (C.A.P.I.C.)
(viii) The Chairman or designate of the ICI Division of the Metropolitan Hamilton Real Estate Board
(ix) The Chairman or designate of the Business Development Sub-committee of the Hamilton Chamber of Commerce
(x) The Chairman or designate of the Hotel Association of Hamilton (being established at time of this report)
(xi) A representative from a financial institution within the downtown core
(xii) One resident of the Ward; and,

(c) That a Nominating Committee comprised of representatives from 2 (i) - (x) above, be established to identify candidates for 2 (xi) and (xii) above; and,

(d) That the founding Board of the GHDCDC be requested to review and comment on the following:

(i) The Mandate and Objectives of the GHDCDC
(ii) The boundaries of the GHDCDC

with a condition that the formal Mandate and Objectives and the boundaries be approved by City and Regional Councils prior to being forwarded to the Province for approval; and,

(e) That the founding Board of the GHDCDC be requested to create the following:

(i) A Working Plan (Community Strategic Plan) for the GHDCDC
(ii) An Operating Budget for the GHDCDC
(iii) A Draft By-law for the GHDCDC
(iv) Identify the general membership structure for the GHDCDC

with a condition that the formal Working Plan (Community Strategic Plan), the Operating Budget, Draft By-law and general membership structure be approved by City and Regional Councils prior to being forwarded to the Province for approval; and,

(f) That the founding Board discuss potential revenue for the GHDCDC from various public and private sectors prior to submitting the yearly Operating Budget to Council for approval; and,

(g) That the Downtown Development Corporation Staff Committee be authorized and directed to work with the founding Board on Items (d) and (e) above.

2. IN CAMERA AGENDA

The Committee moved into an In-Camera Session to discuss matters of a Private and Confidential nature.

The Committee then moved back into Regular Session, and approved the following:

AA. CITY SOLICITOR AND COMMISSIONER OF PUBLIC WORKS AND TRAFFIC

(i) City of Hamilton -ats- Crammond

(a) That the City of Hamilton resolve Ontario Court (General Division) Action # 6207/94 by the payment to the Plaintiff, Hilda Crammond, of the sum of $7,772.67 inclusive of all claims for damages, interest and costs; and,

(b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action # 6027/94 be dismissed without costs.

(ii) City of Hamilton -ats- Ecker

That the City of Hamilton make an Offer to Settle in Ontario Court (General Division) Action # 3461/93 in the following terms:

(a) That the Defendant, The Corporation of the City of Hamilton, offers to settle all outstanding matters in this action on the following terms;

(i) That if this Offer to Settle is accepted on or before 4:00 p.m. Friday, 1995 August 18, the City of Hamilton shall pay to the Plaintiff, Lucy Ecker, the sum of $10,000., inclusive of all damages, interest and costs; and,

(ii) That if this Offer to Settle is accepted after 4:00 p.m. Friday, 1995 August 18, but before 4:00 p.m. Friday, 1995 September 1, the City shall pay to the Plaintiff, Lucy Ecker, the sum of $8,000., inclusive of all claims for damages, interest and costs; and,

(iii) That if this Offer to Settle is accepted after 4:00 p.m. Friday, 1995 September 1, but before the commencement of Trial herein the City shall pay to the Plaintiff, Lucy Ecker, the sum of $5,000., inclusive of all claims for damages, interest and costs; and,

(iv) That following acceptance of this Offer and the completion of all necessary closing documentation, the within action shall be dismissed without costs; and,

(v) This Offer remains open for acceptance until withdrawn, or until the commencement of Trial whichever first occurs.

BB. COMMISSIONER OF HUMAN RESOURCES

Memorandum of Agreement - I.U.O.E. Local 772

That the Memorandum of Agreement between the Corporation of the City of Hamilton and I.U.O.E. Local 772, dated 1995 May 24, covering the period 1994 August 1 to 1997 July 31 be approved and implemented in accordance with the terms therein.

3. CONSENT AGENDA

The Committee was in receipt of its Consent Agenda, and approved the following:

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

The Committee was in receipt of the minutes of its regular meeting held on Tuesday, 1995 June 20th. The Committee approved these minutes as circulated.

B. TREASURER

(i) Authorization to Enter into Extension Agreements on Specific Properties for the Payment of Realty Tax Arrears

The Committee was in receipt of a report from the Treasurer dated 1995 June 26, respecting the above noted matter.

The Committee approved the following:

(a) That the City of Hamilton be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

287 Brucedale East	153 East 31st
167 Park Row North	64 Belvidere
718 Dunn	185 Fennell East
1308 King East	106 Kenilworth North
1658 King East	

(b) That the by-law to authorize the said Extension Agreements be enacted by City Council; and,

(c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.

(ii) Funding - Financing the City's Share of a detailed Storm Water Management Report related to Subdivisions

The Committee was in receipt of a report from the Treasurer dated 1995 June 26, respecting the above noted matter.

The Committee approved the following:

That as referred to in Section 9 of the Ninth Report for 1995 of the Transport and Environment Committee, the City's share of a joint Detailed Storm Water Management Report for the proposed draft plans of subdivision, Albion Mills Estates and Redhill Vista, at a cost of $18,000., be financed from Centre No. CH 00107 - "Reserve for Services Through Unsubdivided Lands".

C. THE PARKING AUTHORITY OF THE CITY OF HAMILTON - Closing of Completed Capital Projects

The Committee was in receipt of an Information Report from the General Manager of the Parking Authority dated 1995 June 8, respecting the above noted matter.

The Committee approved the following:

That the City Treasurer be directed to close the following Capital Projects Accounts of The Parking Authority of the City of Hamilton with any excess funding to be transferred to its original source of financing:

Centre Number	Project Description	Authorized Gross Cost	Total Expenditure	Excess Financing
908345001	Parking Facilities & Land Acquisition	190,000.	189,907.39	92.61
909045006	Land Acq for Parking Purposes - General	400,000.	302,999.88	97,000.12
909045007	King William and Mary Carpark Decking	100,000.	49,281.42	50,718.58
909245002	Land Acq for Parking Purpose - General	1,000,000.	297,912.20	702,087.80
909245005	Upgrading of Existing Parking Facilities	725,000.	724,930.29	69.71

D. BUILDING COMMISSIONER - Approval to hold a Public Meeting - Development Charges

The Committee was in receipt of a report from the Chairman of the Development Charges Staff Sub-Committee dated 1995 June 28.

The Committee approved the following:

(a) That the Finance and Administration Committee of City Council hold two Public Meetings on 1995 August 22 at 1:30 p.m. and 1995 August 29 at 6:30 p.m. respecting a new Development Charges By-law; and,

(b) That the City Clerk be authorized and directed to give notice of the Public Meeting for the purpose of a new Development Charges By-law. The notice shall be in accordance with Section 8 of Ontario Regulations 725/89 made under the Development Charges Act, 1989.

E. CITY CLERK - Request for the use of the second floor foyer (west end) 1995 July 3 to 1995 October 31 - West Harbourfront Development Study - Concept Model

The Committee was in receipt of a report from the City Clerk dated 1995 June 26, respecting the above noted matter.

The Committee approved the following:

That approval be given to the action taken by the City Clerk in authorizing the Manager of Parks, Department of Public Works through Alderman Eisenberger, Chairperson of the West Harbourfront Development Steering Committee, to display the Concept Model - West Harbourfront Development Study from 1995 July 3 until 1995 October 31, in the Second Floor Foyer - West End.

F. TREASURER

(i) Supply and Delivery of Workers' Uniform Clothing

The Committee was in receipt of a report from the Treasurer dated 1995 June 23, respecting the above noted matter.

The Committee approved the following:

That a purchase order be issued to J. P. Hammill & Son Limited, Guelph, for the supply and delivery of Workers' Uniform Clothing as and when required during 1995 to Purchasing Stores, being the lowest of four tenders received, in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through Stores Inventory Account No. CH56103 28999, as follows:

Grey Trousers	$13.40 pair
Short Sleeve Grey Shirts	12.50 each
Long Sleeve Grey Shirts	14.25 "
Grey Overall Jackets	29.25 "
Grey Overall Pants	28.25 "
Grey Crested Coveralls	28.25 "

All taxes extra

(ii) Supply and Delivery of Safety Footwear

The Committee was in receipt of a report from the Treasurer dated 1995 June 23, respecting the above noted matter.

The Committee approved the following:

That a purchase order be issued to Emille Shoes Ltd., Burlington, for the supply and delivery of Safety Footwear as and when required during 1995 to Purchasing Stores, being the lowest of three tenders received, in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through Stores Inventory Account No. CH56103 28999, as follows:

Safety Shoes	$59.97 pair
8" Insulated Safety Boots	74.62 "
8" Non-insulated Safety Boots	76.96 "
6" Non-insulated Safety Boots	54.73 "

All taxes extra

G. DIRECTOR OF PROPERTY - Kiwanis Boys and Girls Club Re-roofing - Ellis Avenue at Campbell Avenue

The Committee was in receipt of a report from the Director of Property dated 1995 June 27, respecting the above noted matter.

The Committee approved the following:

(a) That approval be given to issue a purchase order in the amount of $64,949., inclusive of $4,249. GST, to commission AM Roofing Systems Inc. of Hamilton for the replacement of the roof at the Kiwanis Boys & Girls Club Recreation Centre on Ellis Avenue at Campbell Avenue being the lowest price of three quotes received in accordance with the specifications issued by the Manager of Purchasing; and,

(b) That the Mayor and City Clerk be authorized to execute a contract in a form satisfactory to the City Solicitor.

H. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE - Information Items

The Committee was in receipt of a report from the Secretary of the Finance and Administration Committee dated 1995 June 30, respecting the above noted matter and approved the following:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Information Report - Treasurer - Status of Unclassified Revenue and Expenditures as at 1995 May 31

(b) Information Report - Treasurer - Status of Hosting, Receptions and Related Accounts as at 1995 May 31

(c) Minutes - Hamilton Status of Women Sub-Committee - meetings held 1995 February 6, March 6 and April 3

(d) Information Report - Commissioner of Human Resources - Update - Human Resources Information System - report dated 1995 June 22

(e) Information Report - Treasurer - Canada/Ontario Infrastructure Projects - report dated 1995 June 20

4. TREASURER

(a) Post Audit Letter - Recommendations and Comments Concerning Accounting Systems, Procedures and Controls for 1994

The Committee was in receipt of a report from the Treasurer dated 1995 June 9, respecting the above noted matter.

The Committee approved the following:

That the 1994 Post Audit Letter containing recommendations and comments affecting the City's accounting systems, procedures and controls and subsequent management action be accepted. Copies of the Post Audit Letter were distributed to members of the Finance and Administration Committee, and are available from the Committee Secretary upon request.

(b) Information Report - Request for Support for a Private Members' Bill for Relief from Taxes - Art Gallery of Hamilton.

The Committee was in receipt of an Information Report from the Treasurer dated 1995 June 30, respecting the above noted matter.

The Committee approved the following:

That the City of Hamilton support the request of the Art Gallery of Hamilton for a Private Member's Bill which would grant them future tax exempt status subject to certain conditions such as:

(a) An exemption only while the Art Gallery continues to be operated as an Art Gallery; and,

(b) A limit on the number of years for the exemption within which the organization will become financially responsible; and,

(c) Any other limitation or specific criteria to justify and restrict the future application to other service organizations in the community.

(c) **Requested Information Report - Theatre Aquarius - Request for Support for a Private Member's Bill for Relief from Taxes**

The Committee was in receipt of an Information Report from the Treasurer dated 1995 June 30, respecting the above noted matter.

The Committee agreed to **receive and take no action** on this matter.

Note: Alderman Anderson opposed

(d) **City purchase from the Hamilton-Wentworth Roman Catholic Separate School Board - 141 Vittorito Avenue - Part 1, 62R-9776 - Proposed St. Agnes Park**

The Committee was in receipt of a report from the Treasurer dated 1995 June 30, respecting the above noted matter.

The Committee discussed this matter at great length with respect to the source of funding for this purchase.

The Treasurer's recommended source of funding was as follows:

(a) That the purchase price of $800,000. for 141 Vittorito Avenue, as approved by Council 1995 June 27, Item 20 of the Fourteenth Report of the Parks and Recreation Committee be financed from the Reserve for Park Lands (5% Land Dedication) Account Centre #00201 and the 1995 Capital Budget Provision be amended accordingly; and,

(b) That forecast Parkland Acquisition expenditures to be financed from this Reserve in 1996 and 1997 be reduced to offset this increase.

Following discussion on alternate sources of funding by members of the Committee, the following resolution was approved:

(a) That the purchase price of $800,000. for 141 Vittorito Avenue, as approved by City Council on 1995 June 27th in Section 20 of the Fourteenth Report for 1995 of the Parks and Recreation Committee, be financed from the unspent balance of Riverdale Recreation Centre - Design Fees, up to the amount of $800,000. ($500,000. debenture proceeds and $300,000. 1995 Capital levy) out of the total allocation of 1994 and 1995 Capital Budget in the amount of $858,000. ($500,000. from debenture issue - City By-law 94-095 and $358,000. from 1995 Capital Levy); and,

(b) That the gross funding allocation for the Riverdale Recreation Centre - Design fees be revised from $858,000. to $58,000.; and,

(c) That the City Solicitor be requested to revise the By-law 94-095 authorizing the issuance of debenture for the Riverdale Recreation Centre - Design Fees to the acquisition of 141 Vittorito Avenue (St. Agnes Park); and,

(d) That the City Treasurer be authorized to transfer any proceeds received from the issuance of debenture for the purpose of Riverdale Recreation Centre - Design Fees under the City By-law 94-095; and,

(e) That the Regional Clerk and The Regional Treasurer be advised that any record of debenture proceeds received from the debenture sale under Riverdale Recreation Centre - Design Fees for the City By-law 94-095 be revised to the acquisition of 141 Vittorito Avenue (St. Agnes Park).

5. **TREASURER AND DIRECTOR OF PROPERTY - Treasury Department - Renovations -Workstations**

The Committee was in receipt of a report from the Treasurer and the Director of Property dated 1995 July 4, respecting the above noted matter.

The Committee approved the following:

(a) That the purchase order be issued to Terrance Webster Design, 1310 Osprey Drive, Ancaster, Ontario L9G 4V5 to the maximum amount of $200,105.75 including taxes of $26,100.75, delivery and installation of furniture items for the Treasury Department; and,

(b) That the total amount of $200,105.75 be charged to the Treasury Department renovations Capital Project Fund Account # CF319141005.

Note: Alderman Kiss opposed.

6. **DIRECTOR OF PROPERTY**

(a) Development of City owned lands south/east corner of Stone Church Road East and DiCenzo Drive, Hamilton

The Committee was in receipt of a report from the Director of Property dated 1995 June 21, respecting the above noted matter.

The Committee approved the following:

(a) That approval be given to the Director of Property to proceed with the development and sale of three (3) single family building lots located on the south/east corner of Stone Church Road East and DiCenzo Drive; and,

(b) That all development costs (survey, grading plan, catch basin installation and servicing) in the estimated amount of $108,000. be charged to Account Centre 00102 (Reserve for Property Purchases).

(b) Tax Arrear Sale - 301 James Street North

The Committee was in receipt of a report from the Director of Property dated 1995 June 30, respecting the above noted matter.

The Committee approved the following:

(a) That the Director of Property be authorized to submit a formal tender for the purchase of the property known as 301 James Street North, Hamilton at the sale of this property for tax arrears by the City Treasurer as the property is required in conjunction with the development of a municipal carpark at this site. The tender shall be on the prescribed form required by the Municipal Tax Sales Act; and,

(b) That the City Treasurer be authorized to issue a certified cheque for 20% of the tender amount as is required by the Municipal Tax Sales Act to be submitted with the tender application. The deposit cheque along with the remaining funds owed upon a successful tender bid to be charged to Account No. CF 5698 909345006 (Land Acquisition - General).

(c) **Requested Information Report - Request by Hamilton Habitat for Humanity for a City Lot (11 Arthur Avenue South - Tax Sale Property)**

The Committee was in receipt of an Information report from the Director of Property dated 1995 June 27, respecting the above noted matter.

Following discussion, the Committee approved the following:

(a) That the property known as 11 Arthur Avenue South be declared surplus to the requirements of the City in accordance with the Realty Sales Procedural By-law 95-049; and,

(b) That the Director of Property be directed to prepare the necessary Offer to Purchase Agreement in order to convey the property known as 11 Arthur Avenue South for the sum of $2. to Hamilton Habitat for Humanity.

7. **REFERRAL BACK FROM CITY COUNCIL - Award of Contract - Engine/Generator Supplier - Central Utilities Cogeneration Project**

The Committee was in receipt of a memorandum from the City Clerk dated 1995 June 30, respecting the above noted matter.

The Committee was also in receipt of the report of the Director of Property dated 1995 June 13th respecting the above-noted matter which had been referred back from City Council on 1995 June 27th.

The Director of Property addressed the Committee, and asked that this item be tabled until the 1995 August 22nd meeting.

The Committee concurred and **tabled** this item to the 1995 August 22nd meeting.

8. **CITY CLERK**

(a) **Adult Videos in Convenience Stores**

The Committee was in receipt of a report from the City Clerk dated 1995 June 30, respecting the above noted matter.

Alderman Kiss circulated a letter from the Director of Canadians for Positive Community Standards in which they request that the Class A licence fee be increased substantially and that the Class B licence ratio of adult movies to regular video be reduced from 20% to 10%.

It was moved by Alderman Drury, and seconded by Mayor Morrow that the Class B licence ratio be reduced from the recommended 20% to 15%. MOTION LOST.

It was moved by Alderman Kiss and seconded by Mayor Morrow that the Class B licence ratio be reduced from the recommended 20% to 10%. MOTION LOST.

The Committee then approved the following as recommended:

(a) That City of Hamilton By-law No. 93-045, respecting the regulating and governing of adult videos, and for regulating video stores in which adult videos are provided, be amended to provide for the following:

(i) (1) A Class A Licence for persons being in the business of operating an adult video store; and,

(2) A Class B Licence for persons operating a business where adult videos are an incidental use, which is defined as less than 20% of the video stock offered for sale or rent and the maximum number of adult videos available does not exceed 500; and,

(ii) That the designated area for the adult videos within a Class B Licence to be equipped with a solid opaque self closing full-length door; and,

(iii) That all adult video covers or jackets, which contain specified body areas or specified sexual activities as defined in the By-law, to be covered by an opaque cover when being transported from the designated area of a Class B Licence to the cashier; and,

(iv) (1) That the percentage of adult videos, permitted as an incidental use in a Class B business, to be restricted to not more than 20% of the total number of regular videos available, but shall not exceed a maximum of 500 adult videos; and,

(2) That the Operators of all Class B outlets be required to keep on file a list indicating the number of all videos available and the number of all adult videos available; and,

(v) That the fee for a Class B of adult video licence be $150.; and,

(vi) That those businesses that presently exceed the 20% ratio, or the 500 maximum adult videos, shall be deemed to require a Class B licence and shall be required to comply with the regulations of the By-law for a Class B licence within one year; and,

(vii) That the number of Adult Video Store licences be reduced to four by removing the following two locations: 116 Emerson Street and 7 Greenford Drive; and,

(viii) That a hearing for the denial of a licence in accordance with Bill 198, a Provincial act to amend the Liquor Licence Act, the Municipal Act, the Regional Municipalities Act and certain other statutes related to upper tier municipalities; and,

(b) That the City Solicitor be authorized and directed to prepare the appropriate By-law to amend By-law 93-045, accordingly.

Note: Mayor Morrow, Alderman Kiss and Alderman Drury opposed to the 20% ratio as approved above.

(b) **Proposed Bingo Hall - Town of Grimsby (previously referred back by City Council for additional information)**

The Committee was in receipt of a report from the City Clerk dated 1995 June 29, respecting the above noted matter.

The Committee approved the following:

> That the City of Hamilton inform the Director, Gaming Control Commission that it has no objection to the proposal to open a Class "A" Bingo Hall in the Town of Grimsby.

10. ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder

Susan K. Reeder
Secretary
1995 July 4

B. (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 July 5

JUL 10 1995

REPORT TO: Susan K. Reeder, Secretary
Finance & Administration Committee

FROM: J.J. Schatz
City Clerk

SUBJECT: **Request for the Use of the City Hall Forecourt**
Saturday, 1995 October 14 - Credit Union Charity Fest

RECOMMENDATION:

) That approval be given to the Credit Union Charity Fest to use the City Hall Forecourt on Saturday, 1995 October 14 between the hours of 9:00 o'clock a.m. until 5:30 o'clock p.m., for the promotion of Credit Union Week in Hamilton and the raising of funds for various charities; and,

That the City Clerk be granted authority to approve similar use in future years provided it does not interfere with any other activity.

NANCIAL/STAFFING/LEGAL IMPLICATIONS:

ufficient funds are available in Account CH55222-10034 - Use of City Facilities by Outside Groups in the approximate amount of $200. for Property & Maintenance staff overtime associated with the event.

BACKGROUND:

The Credit Union Charity Fest Committee are planning a fundraising event and promotion of "Credit Union Week" in the City of Hamilton, and have requested the use of the City Hall Forecourt on Saturday, 1995 October 14 between the hours of 9:00 o'clock a.m. until 5:30 o'clock p.m.

CITY OF HAMILTON

- RECOMMENDATION -

B. (ii)

DATE: 8 August 1995

REPORT TO: Susan K. Reeder, Secretary
Finance & Administration Committee

FROM: J.J. Schatz
City Clerk

SUBJECT: **Use of City Hall Forecourt for an Overnight Demonstration Women's Centre of Hamilton-Wentworth - Wednesday, 1995 September 6 to Thursday, 1995 September 7**

RECOMMENDATION:

That the Finance & Administration Committee consider the request from the Women's Centre of Hamilton-Wentworth to use the City Hall Forecourt for an overnight demonstration from 4:00 o'clock p.m. on Wednesday, 1995 September 6 until 12:00 o'clock noon on Thursday, 1995 September 7.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

A request was received from the Women's Centre of Hamilton-Wentworth to use the City Hall Forecourt from 4:00 o'clock p.m. on Wednesday, 1995 September 6 until 12:00 o'clock noon on Thursday, 1995 September 7 for the purpose of drawing attention to the International U.N. Women's Conference taking place in Beijing in September, and to highlight, from a local perspective, the poverty facing women and children in our community.

Approximately 75 - 150 people are expected to attend with approximately 12 participants remaining on site overnight in tents, as part of the overnight vigil.

We will undertake to provide for access as required by the 12 people, through the night dispatcher and therefore, no additional security will be required.

cc: Mayor's Office
R. Swan, Manger of Building Operations & Maintenance Division
Information Desk

B. (iii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 17 July 1995

JUL 17 1995

REPORT TO: Susan K. Reeder, Secretary
Finance & Administration Committee

FROM: J.J. Schatz
City Clerk

SUBJECT: **Request for the Use of the City Hall Forecourt - Saturday, 1995 August 05 - "Co-Operation for Peace"**

RECOMMENDATION:

That approval be given to the action taken by the City Clerk in authorizing "Co-operation for Peace" to use the City Hall Forecourt on Saturday, 1995 August 05, between the hours of 8:30 o'clock p.m. until 11:30 o'clock p.m., for a candlelight vigil commemorating the 50th anniversary of the bombing of the Japanese cities of Hiroshima and Nagasaki.

S.T. Macdonald for
J.J. Schatz

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in Account CH552222-10034 - Use of City Facilities by Outside Groups in the approximate amount of $90. for Property & Maintenance staff overtime associated with the event.

BACKGROUND:

Co-operation for Peace have requested the use of the City Hall Forecourt on Saturday, 1995 August 5 between the hours of 8:30 o'clock p.m. until 11:30 o'clock p.m. to hold a candlelight vigil to commemorate the 50th anniversary of the bombing of Hiroshima and Nagasaki, Japan.

cc: Mayor's Office
R. Swan, Manager of Building Operations & Maintenance Division
Information Desk

B. (iv)

CITY OF HAMILTON

- RECOMMENDATION -

AUG 9 1995

DATE: 4 August 1995

REPORT TO: Susan K. Reeder, Secretary
Finance & Administration Committee

FROM: J.J. Schatz
City Clerk

SUBJECT: **Use of City Council Chambers - Saturday, 1995 August 19**
Hamilton Mundialization Committee

RECOMMENDATION:

That approval be given to the action taken by the City Clerk in authorizing the Hamilton Mundialization Committee to use the City Council Chambers on Saturday, 1995 August 19 between the hours of 9:00 o'clock a.m. until 11:00 o'clock p.m. for a reception for a student delegation from Fukuyama, Japan.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in Account CH552222-10034 - Use of City Facilities by Outside Groups in the approximate amount of $45. for Property & Maintenance staff overtime associated with the event.

BACKGROUND:

A request was received from Ms. Carolann Fernandes of The Hamilton Mundialization Committee for the use of the City Council Chambers on Saturday, 1995 August 19 between the hours of 9:00 o'clock a.m. until 11:00 o'clock a.m., for a reception for a student delegation visiting Hamilton from Fukuyama, Japan.

cc: Mayor's Office
R. Swan, Manager of Building Operations & Maintenance Division
Information Desk

B. (v.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 2 August 1995 AUG 4 1995

REPORT TO: Susan K. Reeder, Secretary
Finance & Administration Committee

FROM: S.G. Hollowell
Acting City Clerk

SUBJECT: **Diocese of Hamilton Request to Use City Facilities**
Sunday, 1995 August 6 - 3:00 o'clock p.m. to 6:00 o'clock p.m.

RECOMMENDATION:

That approval be given to the action taken by the City Clerk in authorizing the Diocese of Hamilton to use the City Council Chambers and the Second Floor Foyer on Sunday, 1995 August 6 between the hours of 3:00 o'clock p.m. until 6:00 o'clock p.m. for a ceremony commemorating the 50th Anniversary of the bombing of Hiroshima.

S. G. Hollowell

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in Account CH552222-10034 - Use of City Facilities by Outside Groups in the approximate amount of $90. for Property & Maintenance staff overtime associated with the event.

BACKGROUND:

Lenor Sorger, Organizer of Hiroshima Day has requested the use of the City Council Chamber and Second Floor Foyer on Sunday, 1995 August 6 for a ceremony commemorating the 50th Anniversary of the bombing of Hiroshima. The ceremony is scheduled to take place between the hours of 3:00 o'clock p.m. and 6:00 o'clock p.m., and approximately 75 people are expected to attend.

cc: Mayor's Office
R. Swan, Manager of Building Operations & Maintenance Division
Information Desk
Weekend Dispatcher

B. (vi)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 July 17

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: Procedural By-Law

RECOMMENDATION:

That the attached by-law be enacted by City Council.

A. T. Hollowell for J. J. Schatz

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

City Council at its meeting held on 1995 June 27 on the recommendation of the Finance and Administration Committee authorized the preparation of a new Procedural By-Law to replace the current Procedural By-Law Nol. 82-203 and approved the changes that are reflected in the new by-law.

The by-law has been prepared by the City Clerk's Department but has been reviewed and approved by the Law Department.

The Corporation of the City of Hamilton **Bill**

BY-LAW NO. 95-

To Regulate the Proceedings of the Municipal Council and Committees of The City of Hamilton.

GENERAL

1. The Rules and Regulations contained herein shall be observed in all proceedings of Council and its Committees.

PART I

MAYOR

2. (a) The Council shall appoint an Alderman as Acting Mayor to act in place and stead of the Mayor when the Mayor is absent from the City of Hamilton or the Mayor is absent through illness or other cause.

(b) The Alderman appointed as Acting Mayor shall be appointed at the last regular monthly meeting of Council and shall hold office for the next succeeding month.

(c) Where the Alderman appointed as Acting Mayor is unable to act because he is absent from the City of Hamilton or is absent through illness or other cause, and unless the Council otherwise appoints, the Alderman present who last served as Acting Mayor shall act as Mayor for the month or part thereof in place and stead of the absent Alderman.

(d) An Alderman acting as Mayor under this section shall exercise all the rights and powers and authority of the head of Council.

PART II

COUNCIL MEETINGS

3. (a) The Regular Meetings of City Council shall, unless otherwise ordered and except as provided in subsection 2, be held at the City Hall on the second and last Tuesday of every month at seven-thirty o'clock p.m., except for the months of June, July, August, September and December when one meeting only shall be held in each of the months.

(b) In the event a Regular Meeting falls on a public holiday, the meeting shall be at the same hour on the next following day not being a public holiday or on any other day as determined by the Council.

(c) A Special Meeting required for special business shall be called by the Mayor or at the request of any nine Aldermen, at such time and place as the Mayor or the Aldermen determine.

(d) Where a Special Meeting is called, the City Clerk shall summon the meeting by written notice delivered to each member of Council setting out the time, place of the Special Meeting and the purpose of the meeting, at least 24 hours before the

SEATING

4. (a) Subject to subsections (b) and (c) the Members of Council shall take their seats to the left of the Mayor's chair commencing with the Aldermen representing Ward 1 to 8 in consecutive order.

(b) For each Ward, the Alderman receiving the greater number of votes shall sit on the right of his or her fellow Alderman representing the same Ward.

(c) Aldermen may exchange seats within a ward, by mutual consent.

QUORUM

5. (a) A quorum shall consist of nine members of Council assembled for a meeting of City Council.

(b) Immediately after the hour fixed for a Council or Committee meeting and a quorum is present, the Mayor or Chairperson shall take the chair and call the meeting to order.

6. If, within thirty minutes of the time called for the meeting, there is no quorum, the Clerk shall record those members present and the meeting shall stand adjourned until the next Regular Meeting unless a Special Meeting is called before a Regular Meeting.

CHAIRPERSON

7. (a) The Mayor shall be Chairperson of the Council.

(b) Where the Mayor is not in attendance at a meeting of Council, the Acting Mayor as appointed shall preside until the arrival of the Mayor.

(c) The Council shall appoint on a quarterly basis, an Alderman to serve as Chairperson of the Committee of the Whole.

(d) When Council moves to Committee of the Whole, the Chair shall be assumed by the Alderman appointed to serve as Chairperson of the Committee of the Whole for that quarter.

(e) When the Alderman appointed to serve as Chairperson of the Committee of the Whole is absent, the Alderman who last served as Chairperson of the Committee of the Whole shall preside.

ORDER OF BUSINESS

8. The business of the Council shall be taken up in the following order:

(a) National Anthem & Prayer
(b) Minutes
(c) Petitions and Correspondence
(d) The referral of Petitions and Correspondence
(e) Reports of the Standing Committees in the order stated in Section 32(1), hereof followed by the Mayor's Report, Licensing Committee, Hamilton-Scourge and Nominating Committees and Committee of the Whole.
(f) Bills

PROCEDURE AT MEETINGS OF COUNCIL

9. No business, other than the business referred to in Section 8, shall be considered at a meeting of City Council unless City Council by a majority vote of the members present at the meeting deems it is in the best interest of the City to deal with any matter.

10. (a) Every motion or resolution shall be in writing.

(b) No member of Council other than the mover of a motion shall make introductory remarks on the motion.

(c) Except as provided in subsection 2, no member of Council shall have the right to speak on a motion or resolution until after the motion or resolution has been duly moved and seconded.

11. After a motion or resolution has been duly moved and seconded, it shall be deemed to be in possession of the Council, but it may be withdrawn at any time with the approval of the majority of the Council.

12. Where a motion or resolution is under consideration, no motion or resolution shall be received except a motion or resolution having precedence in the following order:

(a)	To adjourn	(Not Debatable)
(b)	To table	(Debatable)
(c)	To put the question	(Debatable)
(d)	To refer	(Debatable)
(e)	To amend	(Debatable)

13. The previous question, until it is decided, shall preclude any further debate on the main question or any amendments on the floor. If this motion is resolved in the affirmative the main question shall be put forthwith or if any amendment was on the floor at the time the previous question was moved, the Chair shall call for a vote on the amendment, followed immediately, without further debate, by a vote on the main question.

14. (a) A motion to adjourn the Council shall always be in order and need not be in writing.

(b) The motion to adjourn shall be decided upon without debate.

(c) No second motion to adjourn the meeting of City Council shall be made until after some intermediate proceeding shall have taken place.

15. (a) Where a member proposes to speak on a matter the member shall,

(i) rise from the allocated seat; and

(ii) address the Mayor or Chairperson; and

(iii) confine any comments or observations to the question or matter under discussion; and

17. When a question is put, no member of Council shall walk out of or across the floor of the Council Chambers or any other place where a meeting of City Council is held, until the vote is decided.

18. Each member present at the meeting of Council shall vote when a vote is taken unless otherwise prohibited by law and failure to vote by a member who is not disqualified shall be deemed to be a negative vote.

19. Whenever a recorded vote is requested by any member of the Council, on any matter, the vote shall be conducted by the Chairperson calling for those members voting in the affirmative to stand and be recorded by the City Clerk and then those members voting in the negative to stand and be recorded.

20. During a debate no person shall speak more than five minutes on any motion or resolution unless granted a specific time extension.

21. No member of Council may interrupt any other member who has the floor.

22. Any member of the Council may as of right require the question, motion or resolution under discussion to be read for the member's information at any time in a debate, but not so as to interrupt a member speaking.

23. During meetings of Council, unless permission is given by the Mayor or Council, all persons excepting members of the Council and City Clerk's Staff shall be excluded from the floor of the Council Chamber.

24. Every proposed By-law must be introduced by a motion or by a report of a Committee, specifying the title of the By-law, and shall be decided without debate.

25. Any member of Council initiating the establishment of a Special Committee for any purpose shall automatically be a member of that Committee.

26. Any amounts to be expended, other than those for which funding has been appropriated by Council and expenditures in accordance with Council policies and procedures, shall be referred to the Finance and Administration Committee for recommendation to Council for funding prior to being acted upon. (The issue shall be referred to Council concurrently with the funding recommendation from the Finance and Administration Committee).

27. After any matter has been decided, any member who voted in the majority may, at the same or at a subsequent meeting, move for a reconsideration thereof, but no discussion of the matter shall be allowed unless the motion for reconsideration is approved.

28. Section 27 shall not apply to any matter re-submitted by a Standing Committee who submitted the question initially.

29. Where notice of meeting has been given by a member, it shall be printed in the agenda of the next subsequent meeting of Council and when a member's notice of motion has been called from the Chair at three successive meetings and not proceeded with by the mover, it shall be deemed to have been withdrawn.

30. Any one or more of these rules may be at any time temporarily suspended, with the consent of a majority of the members present.

31. Any points of order or procedure not provided for in the preceding rules shall be decided

PART III

COMMITTEES

32. (a) There shall be appointed, at the first meeting of the newly elected Council, the following Committees, which shall be the Standing Committees of the Council:

(i) Transport and Environment Committee
(ii) Parks and Recreation Committee
(iii) Planning and Development Committee
(iv) Finance and Administration Committee

(b) Each Standing Committee shall consist of the Mayor and one Alderman from each of the eight wards.

(c) The Council shall fix the day and hour for the regular meetings of its Standing Committees.

33. (a) The Nominating Committee shall consist of all members of Council and shall be chaired by the Mayor.

(b) Notwithstanding Section 32(c), the Committee shall meet at the call of the Chair.

34. Meetings of Committees shall be called by the City Clerk on request of the Chairperson or, in the absence of the Chairperson, on request of the Vice-Chairperson or, in the absence of the Vice-Chairperson, upon request of the Mayor with 24 hours notice.

CONDUCT OF BUSINESS IN COMMITTEES

35. The business of the Standing and Special Committees shall be conducted as follows:

(a) The Chairperson, or in the absence of the Chairperson, the Vice-Chairperson, shall preside and shall have a vote on all questions submitted, and in case of an equal division the question shall be decided in the negative.

(b) In the absence of the Chairperson and the Vice-Chairperson, one of the other members shall be elected to preside, and shall discharge the duties of the Chairperson during the meeting, or until the arrival of the Chairperson or Vice-Chairperson at such meeting. Where there is no chairperson or vice chairperson, an acting chairperson shall be appointed by the members present.

(c) A quorum shall consist of the number of members of the Committee required to make a simple majority of the total membership of the Committee. The Mayor, as ex-officio member of all sub-committees, special committees and ad-hoc committees is not counted in the quorum.

(d) The minutes of every Committee shall be signed by the Chairperson and Secretary and entered in a book provided for that purpose.

(e) The Rules of Order of the Council while in Committee of the Whole shall, as far as practicable, be observed by the Standing and Special Committees.

GENERAL DUTIES OF COMMITTEES

C. (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 July 28

AUG 3 1995

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Financing the City's Share of Costs in Wisemount Estates Phase 3 and Edan Heights Phase 3

RECOMMENDATION:

That the City's share of the modification to construct the 1.5 metre sidewalks adjacent to the curb and eliminate the 1.0 metre boulevard within the plans of the subdivisions of Wisemount Estates Phase 3 and Edan Heights Phase 3, at a cost of $6,000, be financed from Centre No. CH 00107 - "Reserve for Services Through Unsubdivided Lands".

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The net amount to be financed for all 1995 projects related to subdivision expenditures, including this recommendation, is $42,843. The 1995 Capital Budget includes a provision of $1,273,000 for the City's share of subdivision expenditures in 1995.

BACKGROUND:

City Council approved this project on 1995 June 27 with no specific costs being identified. The details of the project cost are outlined in the attached report to the Transport and Environment Committee dated 1995 June 15 from E.M. Gill, Senior Director, Roads Department and a memorandum to N.R. Adhya, Manager of Budgets, dated 1995 July 28 from E. Chajka, Manager of Development, Roads Department.

NRA/an
Attach.

c.c. E.M. Gill, Senior Director, Roads Department
K. Christenson, Secretary, Transport and Environment Committee

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 June 15

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: E. M. Gill, P. Eng.
Senior Director

SUBJECT: Modification of Sidewalk/Curb Configuration in Subdivisions -1995 (R-95-39)

RECOMMENDATION:

a) That the subdividers of Wisemount Estates Phase 3 and Edan Heights Phase 3 be required to modify the approved construction plans to construct the 1.5 metre sidewalks adjacent to the curb and eliminate the 1.0 metre boulevard within these plans of subdivisions.

b) That the standard subdivision agreement be amended to require that a copy of the General Plan of Above Ground Services indicating sidewalk/curb configuration be produced by the subdivider, be prominently displayed at all sales offices, and be incorporated in the Purchase/Sale Agreement.

p.p. E.M. Gill, P. Eng.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

There will be financial costs to the City associated with the first recommendation. In order to construct the sidewalk immediately adjacent to the curb the existing utilities will have to be relocated behind the sidewalk. Cost differences between the current standard of Barrier Curb and Independent Sidewalk and the proposed Barrier Curb and Combined Sidewalk is expected to be negligible.

The latter recommendation will have no financial cost to the City.

cont'd...2

Modification of Sidewalk/Curb Configuration in Subdivisions

Continued...

BACKGROUND:

Through site meetings at Wisemount Estates Phase 3 on Friday September 30, 1994 and Monday May 23, 1995 and the receipt of a petition for Edan Heights Phase 3 dated May 29, 1995 it has been brought to this Department's attention that the affected residents in these two subdivisions would prefer not to have the 1.0 metre boulevard in front of their homes.

The residents are particularly concerned that the inclusion of the 1.0 metre boulevard will be detrimental to their parking situation. Specifically, their ability to park two vehicles in tandem behind the sidewalk may be severely limited.

It became apparent during the 1st meeting on September 30, 1994 that many of the residents were misinformed by various parties with respect to the sidewalk/curb configuration. There was an expectation by some purchasers that the sidewalk configuration in their subdivision would be identical to adjacent developments.

Staff investigated various curb and sidewalk design configurations to determine what the various alternatives to the barrier curb and independent sidewalk currently in use could be.

On May 23, 1995 the Ward Aldermen and the residents of Wisemount Estates Phase 3 concurred with the following proposal. The sidewalk would be constructed next to the existing curb. It will be necessary to have the contours of the sidewalk follow the curb depressions at the driveways. Staff have not met with the residents of Edan Heights Phase 3.

The proposed sidewalk location will, however, require co-ordination with the utilities as the hydro/street pole lines will have to be moved back from the current location. As these are changes from the previously approved works, these costs will not be borne by the subdivider. As the sidewalks are not yet constructed, only the pole and utility relocations will increase the cost.

cont'd...3

Modification of Sidewalk/Curb Configuration in Subdivisions

Continued...

For the information of the Committee, there are other subdivisions which had the engineering schedules and construction drawings approved which include a provision for the construction of barrier curbs and independent sidewalk, but the Developer/Subdivider has not completed construction of these works to date.

Council adopted a standard road cross section for subdivisions incorporating a 1.0 metre grassed boulevard as per the 1992 March 31 report **Mountable Curbs in Subdivisions** to the Transport and Environment Committee. The boulevard provides an area for snow storage and garbage pick-up without impeding pedestrian access on the sidewalk. It provides a separation of pedestrians and vehicular traffic. Aesthetically the boulevard is more appealing since it breaks up the expanse of concrete and asphalt with a green area. This separation of curbs and sidewalks reduces the effect of frost heave which can result in substantial elevation differences in adjacent curbs and walks.

Elimination of the boulevard would have negative impacts associated with it. Driveway approaches will require much steeper slopes to a point where it may interfere with the undercarriage of vehicles accessing the driveway. The constant change in sidewalk grade due to the driveway approach can be unsafe for pedestrian traffic. The sidewalk panels would have to be replaced if the driveway locations were changed. For these reasons, our Department still recommends that under new subdivision construction a configuration of curb and sidewalk as shown RHS 303 -Independent Curb and Concrete Walk, with a 1.0 metre boulevard be used.

In future developments our Department would prefer to eliminate any confusion. Improving purchaser awareness of the product in which they are investing can be aided by including a copy of the General Plan of Above Ground Services into every Purchase Sale Agreement. Therefore, residents in future developments would have the benefit of making an informed decision predicated on accurate information instead of assumptions and "hear-say".

JS:
cc: City Treasurer Attn: Nik Adhya

ROADS DEPARTMENT

MEMORANDUM

****

TO: Nik Adhya
Manager of Budgets
Treasury Department

FROM: E. Chajka
Manager of Development
Roads Department

FILE: S705-33
S723-62
PHONE: (905) 546-4189
FAX: (905) 546-2870

SUBJECT: **FUNDING FOR UTILITY RELOCATION EDAN HEIGHTS PHASE 3 & WISEMOUNTS ESTATES PHASE 3**

DATE: 1995 July 28

Attached is a report of Transport and Environment Committee that was approved by City Council on June 27, 1995.

Recommendation 'A' states that sidewalks are to be constructed adjacent to the curb eliminating the 1.0m boulevard.

There will be financial costs to the City associated with this sidewalk relocation since the utilities will also have to be relocated.

The costs for Bell Canada and Hamilton Hydro will be approximately $ 6,000.00. These costs were to be borne by the City of Hamilton.

Please prepare a recommendation to the Finance and Administration Committee for this appropriation.

E.C./js

attach:

ROADS DEPARTMENT		
File Nos: S723-62/S705-33		
CIRCULATE TO:		
PROGRAMMING & DEVELOPMENT		
Director		
Administrative Secretary		
Programming Section		
Development Section	J. Stringer	X
DESIGN & CONSTRUCTION		
PREDESIGN & SPO		
Surveys		
SENIOR DIRECTOR'S OFFICE		
OTHER		
Take Action	See Me	
Draft Reply	Info Only	
Filed By	Ans By	

39. (a) That the subdividers of Wisemount Estates Phase 3 and Edan Heights Phase 3 be required to modify the approved construction plans to construct the 1.5 metre sidewalks adjacent to the curb and eliminate the 1.0 metre boulevard within these plans of subdivisions; and,

(b) That the standard subdivision agreement be amended to require that a copy of the General Plan of Above Ground Services indicating sidewalk/curb configuration be produced by the subdivider, be prominently displayed at all sales offices, and be incorporated in the Purchase/Sale Agreement.

ENTERED JUL 1 2 1995

ITEM #39 OF THE 8TH REPORT OF TRANSPORT & ENVIRONMENT COMMITTEE AS APPROVED BY CITY COUNCIL ON JUNE 27, 1995

C. (ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 July 20

AUG 3 1995

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Construction of Independent Concrete Sidewalk on the South Side of Rymal Road East from Upper James Street to Springside Drive

RECOMMENDATION:

a) That Section 20 of the Fifteenth Report of the Finance and Administration Committee adopted by City Council 1995 May 30 be rescinded; and

b) That the City Solicitor be authorized to prepare an appropriate By-Law to construct an independent concrete sidewalk on the south side of Rymal Road from Upper James Street to Springside Drive under the Local Improvement Act at an estimated cost of $74,800. with the City's share of $24,133.30 to be financed from the 1995 Capital Levy (Account Centre No. CH 22002) and the balance of $50,666.70 being the owner's share to be financed by the issuance of debentures for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of $50,666.70 for a term not to exceed 20 years for the above project.

Allen C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The 1995 Capital Budget includes a provision for the City's share of Local Improvements in the gross amount of $650,000. with a Provincial subsidy of $163,000. and a balance of $487,000. to be financed from the 1995 Capital Levy. The City's share of Local Improvements approved in 1995 including this recommendation, amount to $100,438.80. The issuance of debenture for this project will not exceed the City's prescribed limit as outlined in the Municipal Act.

BACKGROUND:

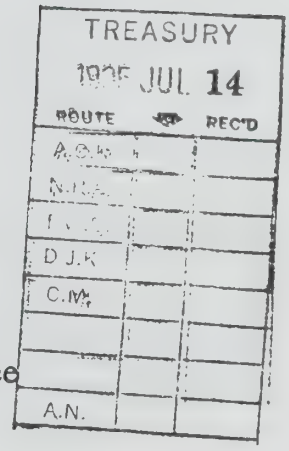
This item is to be considered by the Transport and Environment Committee on 1995 August 21. The details of this project are outlined in the attached letter from D. Lobo, Director of Public Works, dated 1995 July 12.

NRA:jc
Att'd

c.c. K. Christenson, Secretary, Transport and Environment Committee
D. Lobo, Director of Public Works, Attention: R. Meiers
P. Noé Johnson, City Solicitor, Attention: S. Riley
J. Bruzzese, Acting Commissioner of Finance, Region
V.J. Abraham, M.C.I.P, Director of Local Planning
D.Y. Onishi, Director of Design and Construction, Roads Department, Region

CITY OF HAMILTON

- RECOMMENDATION -



DATE: 1995 July 12

REPORT TO: K. Christenson
Secretary, Transport and Environment Committee

FROM: D. Lobo
Commissioner of Public Works and Traffic

SUBJECT: Construction of an Independent Concrete Sidewalk on the South side of Rymal Road East from Upper James Street to Springside Drive.

RECOMMENDATION:

1. That Section 14 of the Seventh Report of the Transport and Environment Committee adopted by City Council on May 30, 1995 be rescinded and replaced with the following:

   a) That the construction of an independent concrete sidewalk on the south side of Rymal Road East from Upper James Street to Springside Drive proceed as a local improvement pursuant to section 12 of the Local Improvement Act at an estimated gross cost of $74,800 with a City's Share of $24,133.30 and Owner's Share of $50,666.70 all as provided in the 1995 portion of the 1995-2004 Capital Budget; and,

   b) That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,

   c) That the Commissioner of Transportation/Environmental Services be authorized to construct these works on behalf of the City once all the necessary approvals have been received.

2. That the attached By-law be enacted to authorize construction of local improvements of an independent concrete sidewalk on the south side of Rymal Road East from Upper James Street to Springside Drive.



FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The proposed works are to be rated in accordance with the normal practice. Provision has been made for these works in the 1995-2004 Capital Budget. The estimated cost per metre for an independent concrete sidewalk is $115. The project will reduce the balances available in the City's Share to $563,403.70 and the Owner's Share to $435,826.30.

BACKGROUND:

Construction of these sidewalks as Local Improvements was authorized by Council on May 30, 1995, in adopting Item 14 of the 7th Report of the Transport and Environment Committee and Item 20 of the 15th Report of the Finance and Administration Committee. Pursuant to that direction, in accordance with the provisions of the Local Improvement Act, notice of this City initiative was published in The Spectator and served upon the adjacent property owners.

A sufficiently-signed petition was received by the Clerk against the works on the north side of Rymal Road East. Therefore the original Council resolution should be rescinded and replaced with a revised recommendation. The City is entitled under the Local Improvement Act to enact this By-law to authorize the works and the collection of the abutting owners' share of the costs by an annual charge added to the tax roll.

The attached By-law is in a form satisfactory to the City Solicitor.

RPM/gs
Attach.

c.c. A. Ross, City Treasurer
Attn: N. Adhya
G. Keith
Susan Reeder, Secretary, Finance and Administration Committee
D.Y. Onishi, Director, Design & Construction, Roads Department

C. (iii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 July 20

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

AUG 3 1995

SUBJECT: Construction of an Independent Concrete Sidewalk on the East side of Upper Gage Avenue between the Freeway and Stone Church Road

RECOMMENDATION:

a) That Section 5 of the Fourteenth Report of the Finance and Administration Committee adopted by City Council 1995 May 9 be rescinded; and

b) That the City Solicitor be authorized to prepare an appropriate By-Law to construct an independent concrete sidewalk on the east side of Upper Gage Avenue from Stone Church Road to Quail Drive and from approximately 72 m south of Loconder Drive (south limit no. 1285) to Loconder Drive under the Local Improvement Act at an estimated cost of $24,790. with the City's share of $3,375. to be financed from the 1995 Capital Levy (Account Centre No. CH 22002) and the balance of $21,415. being the owner's share to be financed by the issuance of debentures for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of $21,415. for a term not to exceed 20 year for the above project.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The 1995 Capital Budget includes a provision for the City's share of Local Improvements in the gross amount of $650,000. with a Provincial subsidy of $163,000. and a balance of $487,000. to be financed from the 1995 Capital Levy. The City's Share of Local Improvements approved in 1995 including this recommendation, amount to $86,596.30. The issuance of debenture for this project will not exceed the City's prescribed limit as outlined in the Municipal Act.

BACKGROUND:

This item is to be considered by the Transport and Environment Committee on 1995 August 21. The details of this project are outlined in the attached report from D. Lobo, Director of Public Works, dated 1995 July 12.

NRA:jc
Att'd

c.c. K. Christenson, Secretary, Transport and Environment Committee
D. Lobo, Director of Public Works, Attention: R. Meiers
P. Noé Johnson, City Solicitor, Attention: S. Riley
J. Bruzzese, Acting Commissioner of Finance, Region
V.J. Abraham, M.C.I.P, Director of Local Planning
D.Y. Onishi, Director of Design and Construction, Roads Department, Region

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 July 12

REPORT TO: K. Christenson
Secretary, Transport and Environment Committee

FROM: D. Lobo
Commissioner of Public Works and Traffic

SUBJECT: Construction of an Independent Concrete Sidewalk on the East side of Upper Gage Avenue from Stone Church Road to Quail Drive and from approximately 72m south of Loconder Drive (south limit of No. 1285) to Loconder Drive.

RECOMMENDATION:

1. That Section 20 of the Sixth Report of the Transport and Environment Committee adopted by City Council on May 9, 1995 be rescinded and replaced with the following:

   a) That the construction of an independent concrete sidewalk on the east side of Upper Gage Avenue from Stone Church Road to Quail Drive and from approximately 72m south of Loconder Drive (south limit of no. 1285) to Loconder Drive proceed as a local improvement pursuant to section 12 of the Local Improvement Act at an estimated gross cost of $24,790 with a City's Share of $3,375 and Owner's Share of $21,415 all as provided in the 1995 portion of the 1995-2004 Capital Budget; and,

   b) That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,

   c) That the Commissioner of Transportation/Environmental Services be authorized to construct these works on behalf of the City once all the necessary approvals have been received.

2. That the attached By-law be enacted to authorize construction of local improvements of an independent concrete sidewalk on the east side of Upper Gage Avenue from Stone Church Road to Quail Drive and from approximately 72m south of Loconder

Drive (south limit of no. 1285) to Loconder Drive.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The proposed works are to be rated in accordance with the normal practice. Provision has been made for these works in the 1995-2004 Capital Budget. The estimated cost per metre for an independent concrete sidewalk is $115. The project will reduce the balances available in the City's Share to $587,537 and the Owner's Share to $486,493.

BACKGROUND:

Construction of these sidewalks as Local Improvements was authorized by Council on May 9, 1995, in adopting Item 20 of the 6th Report of the Transport and Environment Committee and Item 5 of the 14th Report of the Finance and Administration Committee. Pursuant to that direction, in accordance with the provisions of the Local Improvement Act, notice of this City initiative was published in The Spectator and served upon the adjacent property owners.

A sufficiently-signed petition was received by the Clerk against the works on the west side of Upper Gage Avenue. Therefore the original Council resolution should be rescinded and replaced with a revised recommendation. The City is entitled under the Local Improvement Act to enact this By-law to authorize the works and the collection of the abutting owners' share of the costs by an annual charge added to the tax roll.

The attached By-law is in a form satisfactory to the City Solicitor.

RPM/gs
Attach.

c.c. A. Ross, City Treasurer
Attn: N. Adhya
G. Keith
Susan Reeder, Secretary, Finance and Administration Committee
D.Y. Onishi, Director, Design & Construction, Roads Department

C. (iv)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 August 15

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Construction of Independent Concrete Curb on the South Side of Glenfern Avenue from Mountain Avenue to Approximately 32m Easterly

RECOMMENDATION:

That the Commissioner of Public Works and Traffic be authorized to prepare an appropriate By-Law in a form satisfactory to the City Solicitor to construct an independent concrete curb on the south side of Glenfern Avenue from Mountain Avenue to approximately 32m easterly (flankage of 61 Mountain Avenue) under the Local Improvement Act at an estimated cost of $2,900. with the City's share of $2,263. to be financed from the 1995 Capital Levy (Account Centre No. CH 22002) and the balance of $637. being the owner's share to be financed by the issuance of debentures for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of $637. for a term not to exceed 20 years for the above project.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

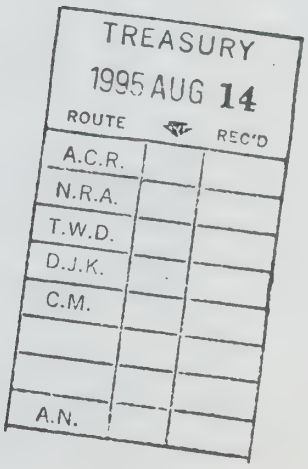
The 1995 Capital Budget includes a provision for the City's share of Local Improvements in the gross amount of $650,000. with a Provincial subsidy of $163,000. and a balance of $487,000. to be financed from the 1995 Capital Levy. The City's share of Local Improvements approved in 1995 including this recommendation, amount to $88,859.30. The issuance of debenture for this project will not exceed the City's prescribed limit as outlined in the Municipal Act.

BACKGROUND:

This item is to be considered by the Transport and Environment Committee on 1995 August 21. The details of this project are outlined in the attached letter from D. Lobo, Director of Public Works, dated 1995 August 9.

NRA:jc
Attach.

c.c. K. Christenson, Secretary, Transport and Environment Committee
D. Lobo, Director of Public Works, Attention: R. Meiers
P. Noé Johnson, City Solicitor, Attention: S. Riley and D. Powers
J. Bruzzese, Acting Commissioner of Finance, Region
V.J. Abraham, M.C.I.P., Director of Local Planning
D.Y. Onishi, Director of Design and Construction, Roads Department, Region



CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 August 9

REPORT TO: K. Christenson
Secretary, Transport and Environment Committee

FROM: D. Lobo
Commissioner of Public Works & Traffic

SUBJECT: **Construction of an Independent Concrete Curb on the South Side of Glenfern Avenue from Mountain Avenue to Approximately 32m Easterly (Flankage of 61 Mountain Avenue)**

RECOMMENDATION:

1. That the construction of an independent concrete curb on the south side of Glenfern Avenue from Mountain Avenue to approximately 32m easterly (flankage of 61 Mountain Avenue) proceed as a local improvement on petition by the owners pursuant to Section 11 of The Local Improvement Act at an estimated gross cost of $2,900.00 with a City's share of $2,263.00 and an Owner's Share of $637.00 all as provided in the 1995 portion of the 1995-2004 Capital Budget; and,

2. That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,

3. That the Commissioner of Transportation/Environmental Services be authorized to construct these works on behalf of the City once all the necessary approvals have been received; and,

4. That the Commissioner of Public Works and Traffic be authorized and directed to prepare the necessary By-law in a form satisfactory to the City Solicitor.

D. Lobo

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The proposed works are to be rated in accordance with the normal practice. Provision has been made for these works in the 1995-2004 Capital Budget. The estimated cost per metre

for an independent concrete curb is $72.00. If approved, the project will reduce the balances available in the City's Share to $561,140.70 and the Owner's Share to $435,189.30.

BACKGROUND:

We have received a sufficiently signed petition from the owners of 61 Mountain Avenue requesting the construction of a concrete curb on the flankage of their property along Glenfern Avenue (see attached plan).

The owners will be required to pay the approved rate per metre on the actual cost, whichever is less.

RPM/rb
attachment

c.c. A. Ross, City Treasurer
Attn: N. Adhya
c.c. S. Reeder, Secretary, Finance and Administration Committee
c.c. D. Y. Onishi, Director Design & Construction, Roads Department
c.c. J. Bruzzese, Acting Commissioner of Finance


ABERDEEN
AVENUE
AVENUE
COTTAGE
AVENUE
AVENUE
UNDERMOUNT
AVE
FAIRMOUNT
AVE
KENT
AVENUE
MAPLESIDE
AVENUE
SPRUCESIDE
AVENUE
C/S.
369
C
A
HILL
STREET
STREET
GLENFERN
AVENUE
STROED CURB
KENT
STREET
C
AMELIA
STREET
BEULAH
COURT
MILES
MOUNTAIN
A

C. (v)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 August 09

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

AUG 10 1995

FROM: Allan C. Ross
Treasurer

SUBJECT: Authorization to enter into extension agreements on specific properties for the payment of realty tax arrears

RECOMMENDATION:

1) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on June 28, 1994:

000 Rymal Road E	46 West 21st
507 Upper Sherman	437 Rennie
467 Charlton East	

2) That the attached by-law to authorize the said Extension Agreements be enacted by Council.

3) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The execution of the by-law and agreements, where required, will defer the City's right to sell the lands for tax arrears for a maximum period of 24 months; however, the City will be in receipt of regular monthly payments towards current and prior years arrears over the term of the agreements.

BACKGROUND:

Section 8 of the Municipal Tax Sales Act provides that the municipality, by a by-law passed after the registration of the tax arrears certificate and before the expiry of the one-year period for redemption, may authorize an extension agreement with the owner of the land extending the period in which the cancellation price is to be paid. On June 28, 1994, in accordance with this legislation, Council approved a policy authorizing the City to enter into extension agreements with taxpayers providing certain conditions were met.

The owner of a property which has been registered for tax arrears may request the City to consider an extension agreement at any time up to and including the final day on which the redemption period expires. Administratively, there may not be sufficient time to obtain the necessary Council approval of the by-law prior to this deadline. Accordingly, staff are requesting advance authorization for the City to enter into extension agreements, if necessary, with the owners of the above specific properties providing they meet the conditions outlined in the policy adopted by Council on June 28, 1994.

In certain instances when all of the conditions in the extension agreement policy are not met the Treasurer should be allowed the latitude to recommend an extension agreement be entered into if it is deemed to be in the best financial interest of the municipality. Under these circumstances a separate report would be provided to the Committee for deliberation and approval.

During the initial months of this repayment option it has been ascertained that operational time constraints, e.g. writing of reports, council approvals, make it necessary to have the authorization to enter into these extension agreements pre-approved. Accordingly, in the month that the legislated final notices for the tax registration process are mailed out (280 days from the registration date), a listing of all those properties for which the owners may wish to enter into an extension agreement will be forwarded to Committee and Council for approval. Owners who show an interest in entering into an extension agreement with the City prior to the mailing of the final notices, will be added to the monthly reports as required.

/TAB

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.95-

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

   (b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.

2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

3

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this day of 1995, A.D.,

CITY CLERK **MAYOR**

SCHEDULE "A"
EXTENSION AGREEMENTS

A)	PROPERTY ADDRESS	000 RYMAL ROAD EAST
	SERIAL NUMBER	07 08510 0490
	BRIEF LEGAL DESCRIPTION	CON 8 PART LOT 11 BTN HAM
	DATE OF REGISTRATION	OCTOBER 25, 1994
	INST # OF TAX ARREARS CERTIFICATE	LT 373236
	REDEMPTION DATE	OCTOBER 25, 1995
	TOTAL ARREARS	$143,590.95
B)	PROPERTY ADDRESS	46 WEST 21ST STREET
	SERIAL NUMBER	08 10130 4730
	BRIEF LEGAL DESCRIPTION	PLAN 842 PART LOT 317 & 318
	DATE OF REGISTRATION	OCTOBER 25, 1994
	INST # OF TAX ARREARS CERTIFICATE	196910
	REDEMPTION DATE	OCTOBER 25, 1995
	TOTAL ARREARS	$17,901.49
C)	PROPERTY ADDRESS	507 UPPER SHERMAN
	SERIAL NUMBER	06 06250 0490
	BRIEF LEGAL DESCRIPTION	PLAN 561 PART LOT 16 LOT 17
	DATE OF REGISTRATION	OCTOBER 25, 1994
	INST # OF TAX ARREARS CERTIFICATE	196911
	REDEMPTION DATE	OCTOBER 25, 1995
	TOTAL ARREARS	$17,909.34
D)	PROPERTY ADDRESS	437 RENNIE
	SERIAL NUMBER	05 04010 2280
	BRIEF LEGAL DESCRIPTION	REG COMP PLAN 1393 LOT 38
	DATE OF REGISTRATION	OCTOBER 25, 1994
	INST # OF TAX ARREARS CERTIFICATE	196912
	REDEMPTION DATE	OCTOBER 25, 1995
	TOTAL ARREARS	$52,113.43
E)	PROPERTY ADDRESS	467 CHARLTON EAST
	SERIAL NUMBER	03 02010 4110
	BRIEF LEGAL DESCRIPTION	CON 3 PART LOT 3 BTN HAM
	DATE OF REGISTRATION	OCTOBER 6, 1994
	INST # OF TAX ARREARS CERTIFICATE	195695
	REDEMPTION DATE	OCTOBER 6, 1995
	TOTAL ARREARS	$170,798.65

C. (vi)

CITY OF HAMILTON

- RECOMMENDATION -

AUG 10 1995

DATE: 1995 July 25

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. A. C. Ross
Treasurer

SUBJECT: **Tax applications processed under Section 443, Subsection (5) of the Municipal Act, Chapter 45 Statutes of Ontario, 1990**

RECOMMENDATION:

That realty and business tax applications processed under Section 443 of the Municipal Act, Chapter 45 Statutes of Ontario, 1990 in the amount of $172,152.68 be approved and charged to CH53307-24104 Tax Remissions.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: Allan C. Ross

N/A
See above recommendation

BACKGROUND:

In accordance with Section 443, Subsection (5) of the Municipal Act, R.S.O. 1990, this Section provides for the Municipality a means whereby Municipal Councils may approve tax refunds due to clerical errors in the Assessment Roll. The period for application is limited to two years preceding the date of application.

Such applications are only valid and therefore may only be heard and approved by Council provided that they comply with subsection (5) and that all applications have been confirmed and approved by the Regional Assessment Commissioner.

As the Regional Assessment Commissioner has confirmed and approved these appeals, I am recommending that the attached summary of tax appeal applications be approved and charged to the Tax Remissions Account.

City of Hamilton
Treasury
"443" APPLICATIONS

A - Out of Business
B - Reduced Space
C - Fire, Demolition, Otherwise
D - Non-Residential to Residential Conversion
E - Overcharge (Clerical Error)
F - Undercharged (Clerical Error)
G - Tax Exempt

REALTY

Application Number	Roll Number	Appeal Year	Reason for Appeal	Tax Cancellation
25401	030 2250 8640	1992	B	30,804.40
25402	030 2250 8640	1992	B	0
25404	030 2250 7890	1992	G	53,930.80
00138	070 8830 6060	1992	C	112.95
00139	070 8830 6060	1993	C	115.61
00143	030 2660 8750	1993	G	1,212.29
00144	030 2660 8750	1992	G	1,184.40
00149	080 9840 6300	1993	C	45.36
00150	080 9840 6300	1992	C	29.67
00166	081 0130 6760	1993	E	73.44
00173	040 2830 8190	1993	D	25.44
00174	050 4810 3180	1993	G	13,439.53
00175	040 3040 8220	1993	B & C	19.77
00176	080 9710 0175	1992	E	27.55
00177	080 9710 0175	1993	E	83.90
00182	060 7210 5300	1993	B & D	802.60
00183	070 6440 0500	1992	C	1,138.92
00184	070 6440 0500	1993	C	1,165.73
00185	050 5352 2640	1992	C	36.87
00186	050 5352 2640	1993	C	37.74
		TOTAL REALTY		104,286.97

City of Hamilton
Treasury
"443" APPLICATIONS

A - Out of Business
B - Reduced Space
C - Fire, Demolition, Otherwise
D - Non-Residential to Residential Conversion
E - Overcharge (Clerical Error)
F - Undercharged (Clerical Error)
G - Tax Exempt

BUSINESS

Application Number	Roll Number	Appeal Year	Reason for Appeal	Tax Cancellation
20682	030 2220 8450 0020	1993	A	0
25403	030 2250 7890 0100	1992	B	16,191.93
25405	020 1610 6200 0020	1992	A	0
25391	070 6610 8720 0481	1992	A	23.79
25392	070 6610 8720 0480	1992	A	114.28
00011	030 2230 3040 0050	1993	A	2,284.50
00018	020 1610 6230 0080	1993	A	265.50
00019	020 1550 2800 0040	1993	A	678.38
00079	020 1820 7980 0020	1993	E	619.56
00088	050 4020 0010 0020	1992	A	15,332.24
00095	050 3850 6300 0020	1993	A	1,178.28
00096	050 4010 2130 0020	1993	A	5,128.72
00097	040 3310 1870 0060	1993	A	262.10
00104	030 2330 7550 0020	1993	A	1,050.77
00125	050 4620 0020 1060	1993	A	87.34
00126	050 4620 0020 1061	1993	A	36.30
00130	020 1255 1180 0020	1993	A	0
00131	020 1255 1150 0020	1993	A	0
00132	060 7210 6200 0230	1993	A	47.36
00133	030 2375 6540 0020	1992	A	140.33
00134	050 4190 0311 0020	1993	A	259.50
00140	010 0210 2340 0010	1993	E	0
00141	010 0210 2340 0010	1992	E	0
00142	020 1440 0310 0650	1993	E	1,419.61
00145	030 2375 6600 0020	1993	B	221.97
00146	030 2375 6600 0020	1992	B	145.17
00147	070 6520 6010 2941	1993	A	246.41
00148	070 6520 6010 2940	1993	A	1,193.93
00151	060 6230 3000 0141	1993	A	354.19
00152	020 1240 0100 0180	1993	E	874.99
00153	050 5140 2260 0020	1993	A	351.83
00154	050 5140 2260 0020	1992	A	343.74
00155	030 2655 0820 0020	1993	A	2,002.18

BUSINESS - Cont'd

Application Number	Roll Number	Appeal Year	Reason for Appeal	Tax Cancellation
00156	050 3850 2470 0175	1993	E	84.10
00157	050 3850 2470 0170	1993	E	704.38
00159	060 7210 5310 0020	1993	E	1,438.03
00160	060 7210 5310 0020	1992	E	1,404.96
00162	060 7210 5300 0010	1992	E	2,613.82
00163	060 7210 5300 0010	1993	E	2,675.35
00168	020 1520 0250 0020	1993	A	1,530.11
00169	040 3410 6870 0020	1992	A	242.60
00170	040 3410 6870 0020	1993	A	3,264.39
00178	020 1820 6380 0020	1992	A	1,508.78
00179	020 1820 6380 0020	1993	A	1,544.29

TOTAL BUSINESS	67,865.71
TOTAL ADJUSTMENT	172,152.68
	= = = = = =

1995 July 25
DJW/cls

C. (vii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 August 10 AUG 11 1995

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Appointment of an External Auditor - Fee Adjustment

RECOMMENDATION:

a) That the firm of MacGillivray Partners, Chartered Accountants be continued as municipal Auditor for the City of Hamilton, including its Local Boards, Hamilton Entertainment and Convention Facilities Inc., Hamilton Hydro Electric System and all of the Boards of Management for the Business Improvement Areas within the City of Hamilton for the year 1995 at an amended fee of $104,070. including completion of the audit of the City's Financial Report, but excluding G.S.T.

b) That the by-law be amended respecting "To Appoint An External Auditor" be approved by City Council.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Amended audit fees for 1995 chargeable by the firm MacGillivray Partners, Chartered Accountants for the City of Hamilton, Local Boards, affiliated organizations and the Hamilton Hydro Electric System amount to $104,070. excluding G.S.T. in comparison to their 1994 audit fee of $100,470.

BACKGROUND:

This is further to City Council approval dated May 30, 1995. Approval by Council was granted based on the original proposal price of $99,000. However, within the terms of the contract with Municipal Non-Profit (Hamilton) Housing Corporation, the audit fees are to be adjusted based on the number of projects that are active. Therefore, the audit fee for Municipal Non-Profit (Hamilton) Housing may vary from year to year as more projects come on stream. As per the terms of the contract, the audit fees for 1995 increased from the original $99,000. to $104,070.

MBCS:jc
Att

c.c. J. Pavelka, Chief Administrative Officer
P. Noé Johnson, City Solicitor
M. Mascarenhas, Manager of Housing
MacGillivray Partners, Chartered Accountants, Standard Life Centre
120 King Street West, Suite 650, Hamilton, Ontario, L8N 3M5
Attention: Mr. M. Cashion

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 95-

Respecting:

APPOINTMENT OF AN EXTERNAL AUDITOR

WHEREAS Section 86(1) of the Municipal Act, R.S.O. 1990, Chapter M.45, authorizes City Council to appoint one or more auditors who are licensed under the Public Accountancy Act for a term of five years or less;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 6 of the 18th Report of the Finance Committee on October 8, 1991 appointed the firm of MacGillivray Partners as the City of Hamilton's external auditor;

AND WHEREAS the Council of The Corporation of the City of Hamilton on , in adopting Item of the Report of the Finance and Administration Committee appointed the firm of MacGillivray Partners as the City of Hamilton's external auditor for the year ending December 31, 1995;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. The firm of MacGillivray Partners is appointed as The Corporation of the City of Hamilton's external auditor until December 31, 1995.

2. The firm of MacGillivray Partners shall also complete the 1995 Financial Report for The Corporation of the City of Hamilton.

3. The duties of the auditor shall include auditing the accounts and transactions of The Corporation of the City of Hamilton, every local board of The Corporation of the City of Hamilton, as defined by the Municipal Affairs Act, the Hamilton Entertainment and Convention Facilities Incorporated, the Hamilton Hydro Electric System, and all of the Boards of Management for the Business Improvement Areas within the City of Hamilton.

4. The fee payable to the auditor shall be $104,070 excluding G.S.T. for 1995. The fee shall be reduced if the hours actually spent are less than anticipated by the City and the auditor. All disbursements are included as part of the regular fee.

PASSED this day of , 1995.

City Clerk Mayor

C.(viii)

CITY OF HAMILTON

- RECOMMENDATION -

AUG 11 1995

DATE: 1995 August 8

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Status of Development Charge Funds

RECOMMENDATION:

That the attached analysis of the transactions of the City's development charges reserve for the year 1994 be received.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Section 17 of Bill 20, "An Act to Provide for the Payment of Development Charges" requires the Treasurer to submit a statement of the City's development charges reserve each year on or before such date as directed by Council. In accordance with the resolution of the Finance and Administration Committee on October 8, 1992, attached is an analysis summarizing the activities in this reserve for the year 1994.

TWD:jc
Attach.

c.c. P. Noé Johnson, City Solicitor

APPENDIX "B"

DEVELOPMENT CHARGE RESERVE FUND
STATEMENT OF CONTINUITY
FOR THE YEAR ENDED DECEMBER 31, 1994

	Total	Recreational Facilities	Parks	Libraries	Fire Stations	Roads & Street Lighting	Traffic Building and Signs
	$	$	$	$	$	$	$
Balance at the beginning of the year	4,739,305	1,353,293	738,920	512,395	704,327	1,358,171	72,199
Development charges received or receivable	1,016,179	306,592	167,405	116,084	130,059	283,836	12,203
Development charges refunded	(2,027)	(656)	(359)	(249)	(202)	(546)	(15)
Interest Earned	277,177	83,615	45,655	31,659	35,491	77,426	3,331
	6,030,634	1,742,844	951,621	659,889	869,675	1,718,887	87,718
Transferred to the capital fund	0	0	0	0	0	0	0
Amounts allocated to other services	0	0	0	0	0	0	0
Balance at the end of the year	$6,030,634	$1,742,844	$951,621	$659,889	$869,675	$1,718,887	$87,718

D. (i)

CITY OF HAMILTON

- RECOMMENDATION -

AUG 4 1995

DATE: 1995 August 3

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Emergency Roof Repairs.

RECOMMENDATION:

That approval be given to issue a purchase order to A M Roofing Systems Incorporated of Hamilton, Ontario, for Emergency Roof Repairs as and when required for 1995, 1996, 1997, at an hourly charge-out rate of $45., $46., and $47. respectively, this being the lowest tender received in accordance with specifications issued by the Manager of Purchasing on 1995 July 10.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

This project is to be financed through 57301 Building Repairs various Property Department centres. Annual costs for roof repairs are approximately $50,000.

BACKGROUND:

The Property Department requires the services of a Roofing Contractor for emergency roof repairs to city owned buildings. In accordance with the Purchasing Department's procedures, this matter was tendered and the following quotations were received:

PRICES PER HOUR

		1995	1996	1997
AM ROOFING	8:00 AM TO 6:00 PM	45.00	46.00	47.00
	6:00 PM TO 8:00 AM	45.00	46.00	47.00
BERTOZZI	8:00 AM TO 6:00 PM	75.00	82.50	90.75
	6:00 PM TO 8:00 AM	90.00	99.00	108.90
ATLANTIC	8:00 AM TO 6:00 PM	80.00	82.00	84.00
	6:00 PM TO 8:00 AM	120.00	123.00	126.90

DWV/ghl

cc. R. Swan, Manager of Building Operations and Maintenance.

CITY OF HAMILTON

- RECOMMENDATION -

D. (ii)

DATE: 1995 July 13

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Realty Sales Procedural By-law 95-049
Declaration of Surplus Property

RECOMMENDATION:

That the following properties be declared surplus to the requirements of the City of Hamilton in accordance with the Realty Sales Procedural By-law 95-049:

(a) 411 Britannia Avenue, Hamilton
(b) 648-650 Barton Street East, Hamilton

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

By-law 95-049 requires all City owned lands not exempted by Ontario Regulation 815/94 be declared surplus prior to sale.

BACKGROUND:

Effective 1995 January 1 the Municipal Act was amended by the Planning and Municipal Statute Law Amendment Act requiring municipalities to enact a by-law to establish procedures for the sale of real property owned by a municipality.

On 1995 February 14 City Council adopted Item 8 of the 5th Report of the Finance and Administration Committee and enacted the Realty Sales Procedural By-law 95-049. Section 5(a) of this by-law declares that "Real property of the City shall not be sold unless it is surplus to the requirements of the City".

Tax Arrears Certificates were registered against the properties at 411 Britannia Avenue and 648-650 Barton Street East.

Pursuant to Section 9(1) of the Municipal Tax Sales Act, the City is required to sell the properties if the taxes, arrears, penalty, interest, and costs are not paid within one (1) year of the registration of the Tax Arrears Certificate. As the required monies were not paid, the lands were advertised in the Hamilton Spectator to be sold on 1995 May 23. Minimum bid for 411 Britannia Avenue - $46,985.81 and 648 Barton Street East - $82,422.96.

At the Tax Sale held on Tuesday, 1995 May 23, no tenders were received in respect of these properties. Accordingly, pursuant to Section 9(3)(b) of the Municipal Tax Sales Act, the properties vested in The Corporation of the City of Hamilton.

The properties in question have been circulated to all City and Regional departments and associated boards and commissions and there has been no declared municipal interest. Therefore it is proposed that the properties be sold by the City of Hamilton.

411 Britannia Avenue - is a one storey aluminum sided frame structure in fair condition, located on a 100 foot by 25 foot commercial ("H") zoned lot. The property was used for a video and satellite dish business, with an attached residential housing unit. No parking is available on the site.

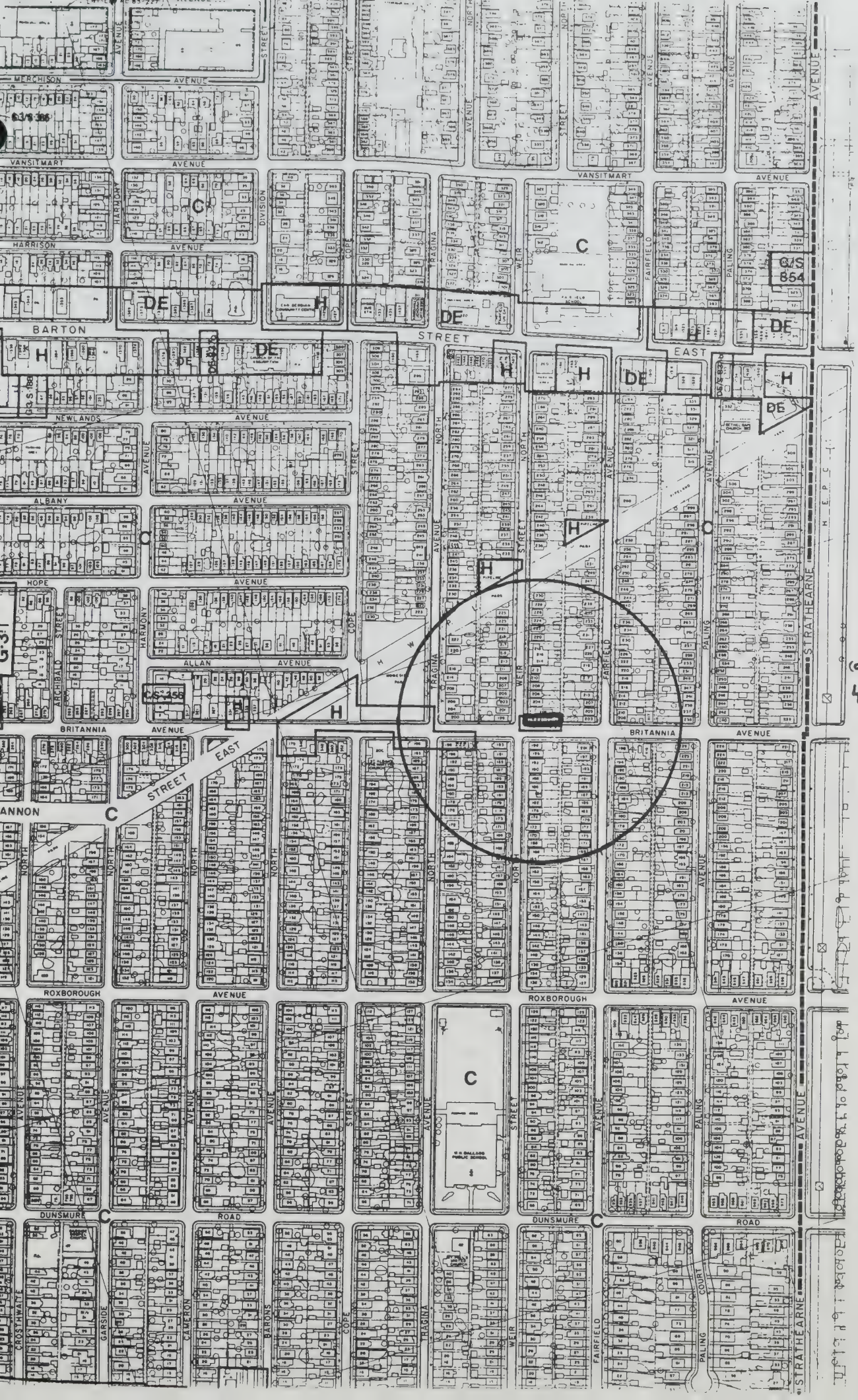
648 Barton Street East - is a 2-1/2 storey brick structure in fair condition, located on a 50 foot by 104 foot commercial ("H") zoned lot. The property comprises on the ground floor a restaurant operation - "The Aero Tavern" and on the second floor, two apartment units with separate fire escapes. Parking is available at the rear of the property.

DC/nw

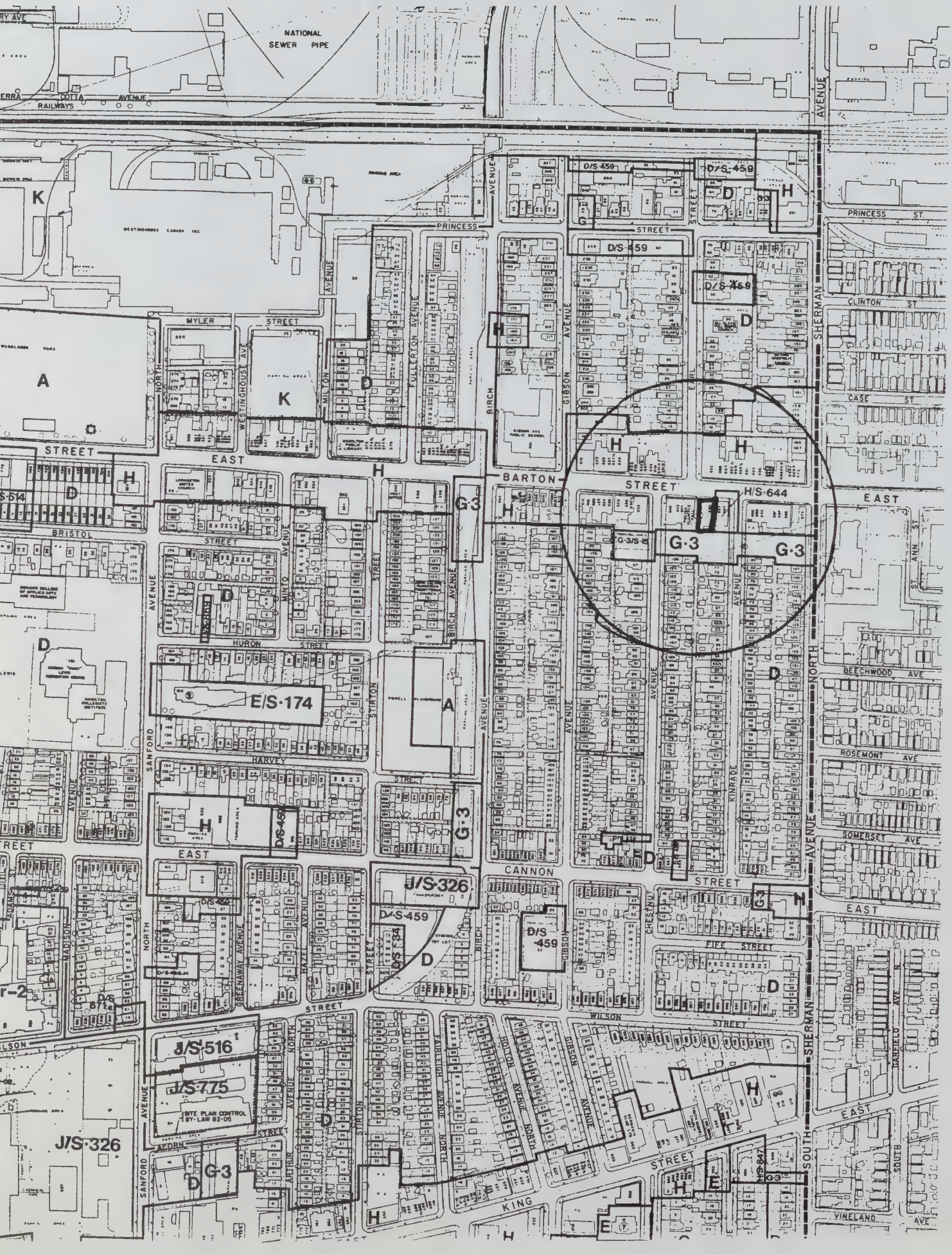
c.c. P. Noé Johnson, City Solicitor
Attention: Jennifer Lessing

Allan C. Ross, Treasurer

R. Swan, Manager, Building Operations and Maintenance Division


MERCHISON AVENUE
VANSITMART AVENUE
HARRISON AVENUE
BARTON STREET
NEWLANDS AVENUE
ALBANY AVENUE
HOPE AVENUE
ALLAN AVENUE
BRITANNIA AVENUE
EAST STREET
ROXBOROUGH AVENUE
DUNSMURE ROAD
STRATHEARNE AVENUE
HARMONY AVENUE
DIVISION AVENUE
COPE STREET
TRAGINA AVENUE
NORTH WEIR STREET
FAIRFIELD AVENUE
PALING AVENUE
ARCHIBALD STREET
CROSSHAWE AVENUE
GARSIDE AVENUE
CAMERON AVENUE
BARONS AVENUE
COURT
C/S 854
C/S 855
C/S 856
C/S 857
C/S 858
C/S 859
C/S 860
C/S 861
C/S 862
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C/S 871
C/S 872
C/S 873
C/S

(b) 648-650 Barton Street East



E.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 July 28

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: John Johnston
Commissioner of Human Resources

SUBJECT: Appointments To and Terminations from Permanent Positions with the Corporation of the City of Hamilton (C-029-095)

RECOMMENDATION:

That the attached listing of Appointments To and Terminations from Permanent positions with the Corporation to 1995 August 10 be approved.

JJ/mb

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Attached.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Anthony Aquino	I	Lead Hand/Truck Driver (D17)	Public Works	Replacing Mr. M. Stephenson - transferred April 07/95	$37,146.72	May 08/95
Ms. Cathy-Lynn Fisher	I	Cemetery Support Clerk II (8C)	Cemetery	Replacing Ms. L. Piper - promoted, January 02/95	$20,960.48 to $28,151.76	June 05/95
Mr. Bob Morley	I	Probationary Fire Inspector (N1C)	Fire	Replacing Mr. W. Jacklin - retired, November 30/94	$34,234.08	July 10/95
Mr. Simon Tam	E	Traffic Operations Engineer (K)	Traffic	Replacing Mr. G. Forbes - promoted, December 30/94	$47,412.56 to $55,811.08	June 05/95

Prepared August 10, 1995

Status

Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Anthony Diligenti	Truck Driver	Public Works	Terminated	17 years	June 25/93
Mr. Bruce McCrady	Banquet Manager	H.E.C.F.I.	Terminated	12 years, 4 months	July 08/95
Mr. John Mitchell	Manager Food/Beverage	H.E.C.F.I.	Terminated	3 years, 10 months	June 29/95
Ms. Donna Morrison	Sundry Revenues Clerk	Treasury	Retired	6 years, 8 months	June 30/95
Mr. Mike Trink	Traffic Legislative Techl.	Traffic	Resigned	5 years	June 16/95
Ms. Gertrude Turner	Administrative Assistant I	Clerk's	Retired	22 years, 9 months	June 30/95

Prepared August 10, 1995

Glossary of Terms

Terminated - long term disability
- discharge
- downsizing
- redundant

Resigned - personal betterment
- personal reasons

F. (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: *1995 August 15*

REPORT TO: S. K. Reeder, Secretary
Finance and Administration Committee

FROM: P. Noé Johnson
City Solicitor

SUBJECT: **By-law to amend By-law No. 93-069 Respecting Refreshment Vehicles**

RECOMMENDATION:

That the attached By-law be enacted by City Council.

PNoé Johnson
per

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

On June 27, 1995, City Council adopted Item 20 of the 7th Report of the Finance and Administration Committee, directing the City Solicitor to prepare the attached by-law. The by-law improves the licensing and regulation of refreshment vehicles, including: new definitions of vehicles, new and clearer responsibilities, mandatory annual inspections by licensing and health inspectors at the time of application or renewal of licences, and regulations on the use of vehicles on private and public property. For ease of reference, the attached by-law replaces the entire Schedule 16 respecting Refreshment Vehicles in By-law 93-069.

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 95-

To Amend:

Licensing By-law No. 93-069

Respecting:

REFRESHMENT VEHICLES

WHEREAS refreshment vehicles are licensed, regulated and governed by Schedule 16 to Licensing By-law No. 93-069 as amended;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 20 of the 7th Report of the Finance and Administration Committee, at its meeting held on the 27th day of June, 1995, directed that Schedule 16 of By-law No. 93-069 be further amended to provide for types of vehicles, definitions, changes in who must comply and the regulations to be complied with;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule 16 to Licensing By-law No. 93-069, is repealed and replaced with Schedule "A" , which is attached to and forms a part of this by-law.

2. In all other respects By-law No. 93-069 as amended, is hereby confirmed without change.

PASSED this day of A.D. 1995.

City Clerk Mayor

SCHEDULE 16

REFRESHMENT VEHICLES

1. (a) In this Schedule, "refreshment vehicle" means a vehicle from which refreshments are sold for consumption by the public.

(b) For the purposes of description and regulation, the types of vehicles are named as follows:

(i) "refreshment cart", means a wheeled, non-motorized refreshment vehicle, other than a refreshment cycle;

(ii) "refreshment cycle", means a non-motorized bicycle or tricycle;

(iii) "motorized refreshment vehicle"; and

(iv) "ice cream vehicle", which means one of the above types of vehicles from which the food sold is or includes ice cream, frozen desserts or other frozen confections.

Licence and Applications

2. No person, without being licensed under this by-law to do so, shall in the City of Hamilton engage in or carry on the business of selling, from a vehicle, refreshments for consumption by the public.

3. A person applying for a refreshment vehicle license shall supply with the application:

(a) A list of the types of refreshments to be sold, specifying whether the items include ice cream, frozen desserts or other frozen confections;

(b) Particulars of the type of vehicle, including the serial number, and in the case of a motorized refreshment vehicle, the particulars required by subsection 3(6) of this by-law and a valid and current Safety Standards Certificate as issued by the Ministry of Transportation for the vehicle;

(c) Name and address of business under which the refreshment vehicle or vehicles will be operated;

(d) And shall submit the vehicle to be licensed for inspections and reports by a Licence Inspector and a Health Inspector, the results of which may be used in considering the application.

4. No person shall engage in or carry on the business of selling, from a vehicle, refreshments for consumption by the public, unless a separate licence has been obtained for each vehicle so used.

5. (1) To be licensed, and to continue to be licensed for use, a refreshment vehicle shall be equipped and maintained as follows:

(a) with a clean compartment for the storage of food, and in the case of an ice cream vehicle, the compartment shall be refrigerated; and

(b) with a suitable refuse container.

(2) No person shall carry on or engage in the business of selling refreshments for public consumption from a refreshment vehicle, unless the refreshment vehicle is equipped and in the condition required in (1).

(3) To be licensed, and to continue to be licensed for use, an ice cream vehicle shall additionally be equipped and maintained as follows:

(a) with the warning "WATCH FOR CHILDREN", in readily legible black letters at least six inches high on a yellow background, conspicuously displayed on the rear of the vehicle;

(b) with a minimum of two amber lights on top, so placed as to be readily visible by a person five feet in height standing four feet in front of or behind the vehicle, and equipped with a device to keep the lights flashing while the vehicle is stopped for the sale of refreshments; and

(c) that the vehicle's rear bumper shall have an angled cover on top designed and placed so as to prevent a child from standing or sitting on top.

(4) No person shall carry on or engage in the business of selling refreshments for public consumption from an ice cream vehicle, unless the vehicle is additionally equipped and in the condition required in (3).

Regulations and Prohibitions

6. (1) In this section and section 8, "eating establishment" means a building or premises where food is prepared and offered for sale to the public, to be consumed either therein or elsewhere.

(2) A person, being the owner or operator of a licensed eating establishment, and being licensed under this by-law for a refreshment vehicle, may operate the refreshment vehicle on the premises of the eating establishment without having to comply with paragraph 8(1)(c)(ii) by being a certain distance from an eating

establishment, and without requiring the written permission of other eating establishments as provided in this section.

(3) Subject to (2), a person carrying on or engaging in the business of selling refreshments for public consumption from a refreshment vehicle, shall obtain:

(a) in the case of a refreshment vehicle being operated on private property, the prior written permission of the property owner,

(b) in the case of a refreshment vehicle being operated in public park, the prior written approval of the City, or

(c) in the case of a refreshment vehicle being operated within 100 yards of an eating establishment, the prior written approval of the owner of the eating establishment.

(4) A person carrying on or engaging in the business of selling refreshments for public consumption from a refreshment vehicle, shall provide the written approval or permission required under (3) to a licence inspector, by-law enforcement officer or police officer upon request.

(5) A person who has obtained the approval or permission required under (3), may operate from respectively, the private property or park, or within 100 yards of the eating establishment, notwithstanding paragraph 8(1)(c)(ii) of this schedule.

7. Every person engaging in or carrying on a business for which a licence is required under this schedule, shall be responsible:

(a) that the Chief Licence Inspector and the Chief Constable are notified in writing within six days of any change of address of the licensee or business;

(b) that no refreshment vehicle is used excepting those which are licensed under this by-law;

(c) that no such vehicle is used when not in safe operating condition;

(d) that no such vehicle is used for business without having affixed to the right hand side thereof, in a position in which it may most readily be seen, the City's current licence plate, and having no other licence number showing except the current provincial licence number or numbers; and

(e) that no motorized refreshment vehicle is driven by any person not currently holding a valid provincial driver's licence.

8. (1) A person operating a refreshment vehicle or engaging in the selling of refreshments from a refreshment vehicle shall comply with the following:

(a) Check each day, prior to use of the refreshment vehicle, that the vehicle is safe for operation, and shall not operate the vehicle unless it is, and is maintained, in safe operating condition;

(b) That there is no crying of wares, sounding of any chimes or use other audible means of recognition while the vehicle is in motion, or for more than five seconds at intervals of not less than five minutes, or in any residential area after eight o'clock in the evening or before eight in the morning;

(c) The vehicle shall not stop for the sale of any products:

(i) within 5 feet of an intersection;

(ii) subject to section 6, within 100 metres of any eating establishment, school ground, recreation ground, playground or public park;

(iii) for more than ten minutes at any one location on a residential street; or

(iv) without being properly parked;

(d) There shall be no service of any customer who is standing in the roadway;

(e) That all children and customers are safely away from the vehicle before putting it in motion;

(f) There shall not be any unnecessary washing or repairing of a vehicle in a street, alley or other public place; and

(g) At all times while the vehicle is stopped for the sale of food, the lights required by section 5 shall be flashing.

(2) A licence holder under this by-law shall not cause or permit the operation of the licensed vehicle or vehicles, contrary to (1).

9. (1) Subject to subsection (2), no person shall sell refreshments or confections as provided in paragraph 3 of section 234 of the Municipal Act, R.S.O. 1990, c. M-45, from a basket, wagon, cart or other vehicle upon paved portion of the highway maintained for the passage of motor vehicles, which does not include the side walk or boulevard, if the highway is a designated snow route.

(2) This section does not apply to a farmer, market gardener or other person selling or delivering goods at any place of business or residence upon such highway or part thereof.

10. The licence fee is provided for in section 16 of Schedule 45 of this by-law.

11. In addition to non-compliance with this by-law or other laws, the failure to comply with the Highway Traffic Act, R.S.O. 1990, c. H-8, or regulations under the Act, by a person while operating a refreshment vehicle, shall be grounds for the Licence Committee or City Council to consider suspension, revocation or the adding of conditions to the licence.

F. (ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: *1995 August 15*

REPORT TO: S. K. Reeder, Secretary
Finance and Administration Committee

FROM: P. Noé Johnson
City Solicitor

SUBJECT: **By-law to amend By-law No. 93-069 Respecting Eating Establishments**

RECOMMENDATION:

That the attached By-law be enacted by City Council, with a licence fee for a take out restaurant of $20.00.

P Noe Johnson per DH

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Implications were addressed in the Clerk's report, adopted by Council and the Finance and Administration Committee meeting, as Item 21 of the Committee's 7th Report of 1995.

BACKGROUND:

On June 27, 1995, City Council adopted Item 21 of the 7th Report of the Finance and Administration Committee, directing the City Solicitor to prepare the attached By-law. The by-law makes changes to Schedule 8 of By-law 93-069, providing for the class of take out only restaurants, and removing the requirement for a public hall licence where dancing or entertainment is provided. A public hall licence will only be required where the business of operating a public hall or place of amusement is established under Schedule 15 of the by-law, as opposed to dancing or entertainment incidental to the restaurant. The Recommendation above includes the $20.00 licence fee for a take out restaurant discussed in the Clerk's prior report. For ease of reference the attached by-law replaces the entire Schedule 8 respecting Eating Establishments in By-law 93-069.

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 95-

To Amend:

Licensing By-law No. 93-069

Respecting:

EATING ESTABLISHMENTS

WHEREAS eating establishments are licensed, regulated and governed by Schedule 8 to Licensing By-law No. 93-069 as amended;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 21 of the 7th Report of the Finance and Administration Committee, at its meeting held on the 27th day of June, 1995, directed that Schedule 8 of By-law No. 93-069 be further amended to provide classification for take out restaurants and removing the requirement for public hall licensing where dancing or entertainment is provided incidental to the eating establishment;

AND WHEREAS Council intends the licence fee for take out licences be $20.00;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule 8 to Licensing By-law No. 93-069, is repealed and replaced with Schedule "A" , which is attached to and forms a part of this by-law.

2. Section 8, of Schedule 45 to By-law 93-069 is amended by adding the following, after subsection 8(d) as subsection 8(e) :

"(e) For a take out restaurant, $20.00."

3. In all other respects By-law No. 93-069 as amended, is hereby confirmed without change.

PASSED this day of A.D. 1995.

City Clerk Mayor

SCHEDULE 8

EATING ESTABLISHMENTS

Interpretation

1. In this Schedule,

(a) "eating establishment" means an eating establishment for which a licence may be required by by-law pursuant to the provisions of the paragraph 5 of section 234 of the Municipal Act, R.S.O. 1990 c. M-45, and includes,

(i) "restaurant", which means an eating establishment where food is prepared on the premises and which has seating accommodation for more than fifteen persons;

(ii) "lunch counter", which means an eating establishment which has seating accommodation for not more than fifteen persons;

(iii) "refreshment stand", which means an eating establishment where only food already prepared for immediate consumption by the public without cooking, is served;

(iv) "drive-in restaurant", which means any eating establishment where carry-out service to patrons in motor vehicles is provided; and

(v) "restaurant, take out", means an eating establishment where food is prepared and offered for sale to be consumed elsewhere, and which does not provide seating accommodation.

Licence Required

2. No person shall, in the City of Hamilton, carry on any business of an eating establishment, without a licence under this by-law, entitling the person so to do.

Provided that the keeper of a hotel, within the meaning of section 216 of the Municipal Act, R.S.O. 1990 c. M-45, shall not be required to hold an eating establishment licence to provide non-intoxicating drinks and beverages, or conduct an eating establishment, in that behalf.

Duties Of Operator

3. Every person carrying on the business of an eating establishment shall be responsible,

(a) Condition of the Premises: That the premises are kept clean and orderly and maintained in all respects reasonably suitable for the purpose for which they are used, and kept suitably lighted and ventilated.

(b) (Repealed)

(c) (Repealed)

4. The licence fees are provided in section 8 of Schedule 45 of this by-law.

F. (iii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: *1995 August 15*

REPORT TO: S. K. Reeder, Secretary
Finance and Administration Committee

FROM: P. Noé Johnson
City Solicitor

SUBJECT: **By-law to amend By-law No. 93-069 Respecting Interior Advertising in Taxi-Cabs**

RECOMMENDATION:

That the attached By-law be enacted by City Council.

P. Noe Johnson per

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The trial period provided by the by-law, runs from June 30 to December 31, 1995. Another by-law may be passed prior to December 31 should Council wish to extend the period.

BACKGROUND:

On June 27, 1995, City Council adopted Item 19 of the 7th Report of the Finance and Administration Committee, directing the City Solicitor to prepare the attached By-law. The by-law permits interior, rear window advertising in taxi-cabs on a six month trial basis.

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 95-

To Amend:

Schedule 4 of Licensing By-law No. 93-069

Respecting:

INTERIOR ADVERTISING IN TAXI-CABS

WHEREAS taxi-cabs are licensed, regulated and governed by Schedule 4 to Licensing By-law No. 93-069 as amended;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 19 of the 7th Report of the Finance and Administration Committee, at its meeting held on the 27th day of June, 1995, directed that Schedule 4 of By-law No. 93-069 be further amended to allow rear window advertising on a six month trial basis;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Paragraph 19 of section 12 of Schedule 4 to Licensing By-law No. 93-069, as amended in By-law 93-043, is further amended by adding the following as sub-paragraph (1b), immediately after sub-paragraph (1a) :

> "(1b) In addition to the advertising permitted in sub-paragraphs (1) and (1a), advertising is permitted on the rear window of the taxi-cab, provided it is transparent from the interior of the taxi-cab so the driver is able to observe traffic and objects through the rear window of the vehicle; and "

2. Section 1 of this by-law comes into force on June 30, 1995, and is deemed repealed at midnight on December 31, 1995.

3. In all other respects By-law No. 93-069 as amended, is hereby confirmed without change.

PASSED the day of A.D. 1995.

City Clerk Mayor

G.

CITY OF HAMILTON

-RECOMMENDATION-

DATE: 1995 August 14th

REPORT TO: Alderman B. Charters, Chairman & Members,
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary,
Finance and Administration Committee

SUBJECT: **Information Items**

RECOMMENDATION:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Information Report - Treasurer - Sale of Tax Arrears Properties - report dated 1995 July 7th

(c) Memorandum - Treasurer and Director of Property - Treasury Department Renovations - memo dated 1995 July 6th

(d) Information Report - City Clerk - Hamilton Status of Women Sub-Committee - report dated 1995 July 4th

(e) Correspondence - Regional Clerk's Office - Sinking Fund Status Report - letter dated 1995 June 28th

(f) Correspondence - Director of Property - Real Estate Division of the Property Department - Services to the Region for the Second Quarter of 1995 - letter dated 1995 July 13th

(g) Information Report - Chief Administrative Officer - Constituent Assembly - City Staff Assistance - report dated 1995 August 15th

(h) Information Report - Treasurer - Status of Unclassified Revenue and Expenditures as at 1995 June 30th

(i) Information Report - Treasurer - Status of Hosting, Receptions and Related Accounts as at 1995 June 30th

(j) Information Report - Treasurer - Cash Management Practice - Safekeeping and Custody of Securities and Securities Lending Agreement - report dated 1995 August 10th

(k) Information Report - Commissioner of Human Resources and City Treasurer - Early Retirement - report dated 1995 August 17

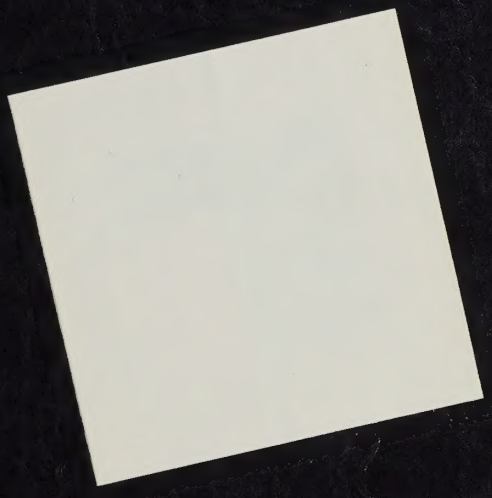
Susan K. Reeder.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The above-noted documents have been sent out to members of the Committee and the applicable staff for information purposes, and are being formally presented to the Committee in order to be officially received. Approval of this recommendation to receive these documents will ensure that the circulation procedure followed for these matters is recorded.




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